

AMENDMENTS TO ARTICLES 2 AND 4

- Section 2-1000 JLMA 1
- Section 2-1100 JLMA 2
- Section 2-1200 JLMA 3
- Section 2-1400 TR 10
- Section 2-1500 TR 3
- Section 2-1600 TR 2
- Section 2-1700 TR 1
- Section 4-1900 LOD
- Section 4-2000 RSCOD

ATTACHMENT 13

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1 (2) **Use Categories.** The Use Categories describe the major sub-
2 groups of the Use Classifications, based on common characteristics
3 (e.g., the residential Use Classification is divided into two major
4 Use Categories: Household Living and Group Living). Principal
5 uses are identified in defining the Use Category. They are
6 principal uses that most closely share the common characteristics
7 that are key to the Use Category.

8 (3) **Use Types.** The Use Categories are then divided into specific Use
9 Types. The specific Use Types are included in the respective Use
10 Category. They identify the specific uses that are considered to
11 fall within characteristics identified in the Use Category.

12 (B) **Use Categories and Use Types Defined.** All the Use Categories and Use
13 Types listed in Table 2-1003 are defined in Article VIII (Definitions).

14 (C) **Permitted and Special Exception Uses.** A "P" in the column identified
15 "JLMA-1" indicates that a Use Category or specific Use Type is permitted
16 as a matter of right (as a permitted use) in the JLMA-1 district, subject to
17 compliance with all applicable standards and regulations in this Ordinance
18 and all other County ordinances. An "S" indicates that a Use Type is
19 allowed in the JLMA-1 district as a special exception in accordance with
20 the procedures and standards of Section 6-1300. In some instances, and
21 based on the Additional Regulations for Specific Uses (Section 5-600), a
22 Use Type will be permitted under certain conditions, or allowed as a
23 special exception under other conditions. These uses are identified as
24 "P/S".

25 (D) **Reference to General Use Category.** References to "General Use
26 Category" under the Use Type column means all of the uses in the Use
27 Category are allowed. The Use Category is defined in Article VIII.
28 Where specific Use Types are listed in the Use Type column, only the
29 listed Use Types in the Use Category are allowed. The Use Types are
30 defined in Article VIII.

31 (E) **Additional Regulations for Specific Uses.** References to sections in the
32 final column of Table 2-1003 (Additional Regulations for Specific Uses)
33 indicate that the listed use is subject to use-specific regulations. The
34 numbers provide a cross-reference to the "Additional Regulations for
35 Specific Uses" in Section 5-600.

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**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
	Home occupation (accessory to single family detached dwelling)	P	Section 5-400
	Model home	P	Section 5-500(A)
	Portable dwelling/trailer during construction of primary residence	P	Section 5-500
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Orphanage or similar institution	S	
	Tenant dwelling	S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	P	Section 5-627
	Animal care business	P	Section 5-627
	Custom operators	P	
	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	P	Section 5-627

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**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Equestrian facilities	P	Section 5-627
	Equestrian facility, on lots of less than fifty (50) acres, or without frontage on a state maintained road	S	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery sales, rental, and services	S	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Mill feed and farm supply center	S	Section 5-627
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
	Pet farms	P	Section 5-627
	Stable, private	P	Section 5-627
	Stable, neighborhood, on lots less than twenty-five (25) acres, or without frontage on a state maintained road	S	Section 5-627
	Virginia Farm Winery	P	Section 5-627
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
PUBLIC AND INSTITUTIONAL USES			
Day Care Facilities	Child care home	P	Section 5-609(A)

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**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Child or adult day care center	S	Section 5-609(B)
Cultural and Government Facilities	Bus shelter	P	
	Community center	S	
	Community center, HOA facilities only	P	
	Commuter parking lot, with greater than 50 spaces	S	
	Commuter parking lot, with 50 spaces or less	P	
	Library	S	
	Structure or use for federal, state, County, or local governmental purposes, not otherwise listed	S	
Education	School (elementary or middle), for fifteen (15) pupils or less	S	Section 5-655
	School (elementary, middle, or high), for more than 15 pupils	S	
Park and Open Space	Cemetery	S	Section 6-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
	Wetlands mitigation bank	P	
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue or temple, with seating capacity of 300 or less in sanctuary or main area	P	Section 5-639

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**TABLE 2-1003
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Church, synagogue or temple, with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	Public utility service center and storage yard	S	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Recycling drop off collection center, private	S	Section 5-607
	Sewer and water treatment plant	S	Section 5-621
	Utility substation, distribution	S	Section 5-616
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103(D)
	Sewage and water pumping station	P	Section 5-621
	Water storage tank	S	Section 5-621
COMMERCIAL USES			
Office	Construction and/or sales trailer, during period of construction activity subject to establishment of date certain for removal	P	
Recreation and Entertainment	Camp, day and boarding	S	Section 5-645
	Golf course	S	Section 5-648
Retail Sales and Service	Artist studio	S	
	Small business	P/S	Section 5-614
Visitor Accommodation	Bed and breakfast, homestay	P/S	Section 5-601(A)

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TABLE 2-1003 JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE			
P = PERMITTED S = SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-1	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Bed and breakfast Inn	S	Section 5-601(A)
INDUSTRIAL USES			
Telecommunication Use and/or Structure	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)

1 **2-1004 Lot and Building Requirements.**

- 2 (A) **Minimum Lot Size.** Twenty thousand (20,000) square feet.
- 3 (B) **Minimum Lot Width.** Fifty (50) feet.
- 4 (C) **Minimum Front Yard.** Thirty-five (35) feet.
- 5 (D) **Minimum Rear Yard.** Twenty-five (25) feet.
- 6 (E) **Minimum Side Yard.** Nine (9) feet.
- 7 (F) **Building Height.** Thirty-five (35) feet maximum.

8 **2-1005 General Development Requirements.** The following general development
9 requirements shall apply to all development in the JLMA-1 district.

- 10 (A) **Minimum Open Space.** Thirty (30) percent. Active recreational uses
11 may be located within the open space.
- 12 (B) **Maximum Gross Density.** The maximum gross residential density shall
13 be one (1) unit per forty thousand (40,000) square feet, calculated based
14 on the overall parcel, excluding roads. Open space shall be preserved by
15 means of a permanent open space easement acceptable to the Board of
16 Supervisors.
- 17 (C) **Utilities.**

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1 (1) Both municipal water and municipal sewer facilities must be
2 provided to every development site, if available as determined by
3 the Town, except for Town-owned or County-owned and operated
4 public uses that may use communal systems (except in areas near
5 Purcellville, which are subject to the existing annexation
6 agreement between the County of Loudoun and the Town of
7 Purcellville). If municipal water or municipal sewer facilities are
8 not available, development may be served by private well or septic
9 system, respectively.

10 (2) All utility distribution lines shall be placed underground. Private
11 wells, septic systems, and communal systems may be located
12 within the open space ~~consistent with the standards of Section 6-~~
13 ~~2005.~~

14 ~~(D) **Conservation Design.** Development shall comply with the conservation~~
15 ~~design standards of this Ordinance (Section 6-2000). Uses and activities~~
16 ~~allowed in the open space are as provided in Section 6-2000.~~

17 (E) **Neighborhood Development Standards.** To ensure new development in
18 the JLMA-1 district reinforces existing development patterns in the
19 adjacent town to the maximum extent feasible, reduces the need for
20 automobile trips, minimizes the need for additional road improvements,
21 and encourages walking to employment, shopping, and public facilities,
22 development in this district shall meet the following requirements:

23 (1) **Street System/Connectivity.**

24 (a) **Connections to Existing Streets.** Connections to the
25 existing or planned street system shall be made to the
26 maximum extent feasible. All development plans shall
27 incorporate and continue all streets stubbed to or shown as
28 stubbed to the boundary of the development by previously
29 approved development plans/plats or existing development.

30 (b) **Provision for Future Connections to Adjoining Land.**
31 All developable land shall provide for future public street
32 connections to adjacent developable parcels by providing a
33 local street connection at least every six hundred sixty
34 (660) feet along each subdivision plat boundary that abuts
35 potentially developable or re-developable land, except that
36 such street connections are not required on steep slopes,
37 MDOD sensitivity areas, ~~karst feature buffers within the~~
38 ~~LOD, or FOD RSCOD protected corridors pursuant to~~
39 ~~Sections 5-1508, 4-1600, 4-1900, and 4-1500 2000. For the~~
40 ~~purposes of this regulation, "developable land" should be~~
41 ~~defined to include any vacant land areas not including or~~

1 ~~constrained by primary conservation areas and rights of~~
2 ~~way or restricted easements.~~

- 3 (c) **Block Form and Size.** To the maximum extent feasible,
4 blocks within developments shall maintain a rectilinear
5 pattern except where deviation is necessitated by
6 topographic or environmental considerations. Blocks shall
7 measure not less than three hundred (300) nor more than
8 six hundred sixty (660) feet along each side, as measured
9 from the edge of the right-of-way, except where deviation
10 is necessitated by topographic or environmental
11 considerations, or where deviation is required to comply
12 with regulations concerning steep slopes, MDOD
13 sensitivity areas, or ~~FOD RSCOD protected corridors~~
14 pursuant to Sections 5-1508, 4-1600 and 4-~~1500~~2000, or
15 ~~conservation design standards.~~
- 16 (d) **Avoidance of Certain Street Types.** Cul-de-sacs and "P-
17 loop" streets shall be avoided except where necessitated by
18 topographic or environmental considerations.
- 19 (e) **Provision of "T" Intersections.** "T" intersections are
20 encouraged in locations where views of important civic,
21 public or open space areas can be highlighted.

22 (2) **Variation of Lot Sizes.**

- 23 (a) **General Rule.** In all new residential subdivisions
24 containing ten (10) or more lots, a mixture of lot sizes and
25 dimensions shall be provided in order to allow for a variety
26 of housing opportunities and avoid monotonous
27 streetscapes. For example, larger and wider lots are
28 encouraged on corners. Smaller lots are encouraged
29 adjacent to parks and open spaces. No more than 60 percent
30 of all lots shall be similar in total lot area. For purposes of
31 this subsection, "similar" lot areas shall be defined as
32 within 500 square feet of each other.
- 33 (b) **Exception.** Up to seventy (70) percent of the lots within
34 the subject subdivision may be similar if the Zoning
35 Administrator, pursuant to Section 6-401, makes a finding
36 that, notwithstanding deviation from the sixty (60) percent
37 standard stated above, lot sizes and dimensions are
38 sufficiently varied, for different housing types, to avoid
39 monotonous streetscapes.
- 40 (c) **Dispersion of Lot Sizes.** Similar lot sizes shall be
41 distributed throughout a subdivision rather than
42 consolidated in one area, unless the Zoning Administrator,
43 pursuant to Section 6-401, makes a finding that the intent

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of this district and of the Zoning Ordinance will be better served by a design that tends to consolidate lots of similar sizes.

(3) **Sidewalks.**

(a) **Provision of Sidewalks and/or Trails.** Sidewalks and/or trails shall be provided, at a minimum, along one side of all streets to provide pedestrian access to the town or neighborhood center, public buildings, schools, parks, and other destinations, or greater if required by the Facilities Standards Manual.

(b) **Sidewalk and/or Trail Connections.** Connections to existing or planned sidewalks and/or trails shall be made at the property boundaries of the project by incorporating and continuing all sidewalks and/or trails stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development. All development plans shall provide for future sidewalk and/or trail connections to adjacent developable parcels at planned or current local street connections along each subdivision plat boundary.

(4) **Civic and Open Space.**

(a) **Variety of Spaces to Be Provided.** A variety of greens, parks or natural open spaces shall be located throughout the development, where appropriate ~~and as determined by conservation design~~, to provide community identity.

(b) **Access to Civic Spaces.** Direct and convenient pedestrian and bicycle access shall be provided on the site being developed to adjacent residential land uses and to the civic and open space.

(c) **Configuration of Park Access.** Land dedicated for parks shall be bordered on at least one side by public streets, preferably local or collector streets.

(5) **Other Design Requirements.**

(a) **Street Trees.** Street trees planted pursuant to Section 5-1300 shall be planted at a density of no less than one canopy shade tree per 25 feet on average, and shall be placed in arrangements consistent with the existing landscape of the vicinity.

(b) **Garages.** Garages shall be set back at least four (4) feet behind the plane of the front door of the principal building.

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Garages shall have vehicular access only from the side or rear of the lot.

- (c) **On-Street Parking.** Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

(F) **Compatibility Standards.**

- (1) A minimum buffer width of 25 feet with a Type 2 buffer yard shall be provided between existing agricultural uses and residential development sites.

- (2) On non-residential development sites:

- (a) Areas for loading, delivery, and waste collection receptacles shall be sited so as to reduce the impact on surrounding properties to the maximum extent feasible, with highest priority given to reducing the impact on residential properties.

- (b) Outdoor lighting shall be directed towards the interior of the development site and shall be shielded to prevent all direct illumination of other properties.

2-1006 Alternate Neighborhood Development Standards. In lieu of the development requirements specified in Sections 2-1004 and 2-1005 above, either the Board of Supervisors may initiate, or the landowner(s) in a JLMA-1 district may request the adoption of alternate neighborhood development standards as a special exception pursuant to the standards of this Section and Section 6-1300. These alternate development standards may be reviewed for all or a portion of a JLMA-1 district. Once adopted, the alternate neighborhood development standards supercede the requirements of Sections 2-1004 and 2-1005. The following requirements shall be met:

- (A) **Minimum Area.** Alternate neighborhood design standards shall be adopted for all of a JLMA-1 district or a portion of the district consisting of a minimum of twenty-five (25) contiguous acres.

- (B) **Initiation.** A request to have alternate neighborhood development standards adopted for all or a portion of a JLMA-1 district may be initiated by the Board of Supervisors or the landowners in the area for which the request is made by submitting an application to the County for a Special Exception pursuant to Section 6-1300.

- (C) **Study/Proposed Standards.** Subsequent to the request, the applicant shall submit a set of proposed alternate neighborhood development standards for consideration that comply with the standards in Section 2-1006(E). The proposed alternate neighborhood development standards shall be in compliance with any overlay district requirements and based on

1 ~~a conservation design analysis of the land and a~~ conservation design
2 analysis of the land and a study of the existing and prevailing patterns of
3 development in the adjoining town in the vicinity of the lands where the
4 alternate neighborhood development standards are proposed to be adopted,
5 as they relate to lot sizes, yards, setbacks, lot coverage, building heights,
6 garages, porches, civic and open spaces, open space areas, block form,
7 street pattern, sidewalks, and street trees.

8 (D) **Recommendation of Staff and Town Council.** After their receipt,
9 County staff shall forward a copy of the proposed alternate neighborhood
10 development standards to the affected town for review and comment, and
11 prepare a staff report on whether they comply with the standards of
12 Section 2-1006(E).

13 (E) **Standards.** The Board of Supervisors shall adopt the alternate
14 neighborhood development standards only if the Board finds that:

15 (1) The standards include requirements addressing lot size, lot width
16 and length, yards, lot coverage, building height, and open space
17 that are consistent with the existing and prevailing patterns of
18 development in the adjoining town in the vicinity of the lands
19 where the alternate neighborhood development standards are to be
20 adopted; and

21 (2) The standards include specific provisions requiring street system
22 connectivity, variation of lot sizes, the provision of civic and open
23 spaces, the provision of sidewalks, the provision of street trees, a
24 grid street pattern and block sizes in a form that is consistent with
25 the existing and prevailing patterns of development in the
26 adjoining town in the vicinity of the lands where the alternate
27 neighborhood development standards are to be adopted.

28 (F) **Effect.** The approval of the special exception by the Board of Supervisors
29 for all or a portion of a JLMA-1 district shall constitute a modification of
30 the development standards for that area, subject to the conditions and
31 terms of the special exception, and recognition by the County that all
32 development within the area subject to alternate neighborhood
33 development standards shall comply with the alternate neighborhood
34 development standards. In the case of conflict between adopted alternate
35 neighborhood development standards and any other provision of this
36 Ordinance, the alternate neighborhood development standards shall apply.

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1 **Section 2-1100 Joint Land Management Area-2 District: JLMA-2**

2-1101 **Purpose and Intent.** This district is established to accommodate and foster the development of land within the joint land management areas (JLMAs) outside the incorporated towns in Loudoun County to:

2 (A) Ensure development in the JLMA-2 district is consistent with the JLMA
3 serving as a gateway to the towns;

4 (B) Encourage an appropriate mix of residential and nonresidential land uses;

5 (C) Provide a variety of housing types and lot sizes;

6 (D) Where appropriate, achieve a pattern of development that generally
7 conforms to the established, traditional pattern of development in the
8 towns;

9 (E) Establish the type and scale of development desired for the entranceway of
10 the towns; and

11 (F) Implement jointly adopted area plans, where applicable.

12 **2-1102 Size and Location.** This district modifies and replaces the Countryside
13 Residential (CR-2) district within the JLMAs. It is the intent of the County
14 that the JLMA-2 boundaries not be extended beyond the existing JLMA
15 boundaries.

16 **2-1103 Use Regulations.** Table 2-1103 summarizes the principal use regulations of
17 the JLMA-2 district.

18 (A) **Organization of Use Table.** Table 2-1103 organizes the uses in the
19 JLMA-2 district Use Table by Use Classifications, Use Categories and
20 Use Types.

21 (1) **Use Classifications.** The Use Classifications are: residential uses;
22 agricultural uses; public and institutional uses; commercial uses;
23 and industrial uses. The Use Classifications provide a systematic
24 basis for assigning present and future land uses into broad general
25 classifications (e.g., residential uses and agricultural uses). The
26 Use Classifications then organize land uses and activities into
27 general "Use Categories" and specific "Use Types" based on
28 common functional, product, or physical characteristics, such as
29 the type and amount of activity, the type of customers or residents,
30 how goods or services are sold or delivered, and site conditions.

31 (2) **Use Categories.** The Use Categories describe the major sub-
32 groups of the Use Classifications, based on common characteristics
33 (e.g., the residential Use Classification is divided into two major

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1 Use Categories: Household Living and Group Living). Principal
2 uses are identified in defining the Use Category. They are
3 principal uses that most closely share the common characteristics
4 that are key to the Use Category.

- 5 (3) **Use Types.** The Use Categories are then divided into specific Use
6 Types. The specific Use Types are included in the respective Use
7 Category. They identify the specific uses that are considered to
8 fall within characteristics identified in the Use Category. For
9 example, single family detached dwellings are a Use Type in the
10 Household Living Use Category.

- 11 (B) **Use Categories and Use Types Defined.** All the Use Categories and Use
12 Types listed in Table 2-1103 are defined in Article VIII (Definitions).

- 13 (C) **Permitted and Special Exception Uses.** A "P" in the column identified
14 "JLMA-2" indicates that a Use Category or specific Use Type is permitted
15 as a matter of right (as a permitted use) in the JLMA-2 district, subject to
16 compliance with all applicable standards and regulations in this Ordinance
17 and all other County ordinances. An "S" indicates that a Use Type is
18 allowed in the JLMA-2 district as a special exception in accordance with
19 the procedures and standards of Section 6-1300. In some instances, and
20 based on the Additional Regulations for Specific Uses (Section 5-600), a
21 Use Type will be permitted under certain conditions, or allowed as a
22 special exception under other conditions. These uses are identified as
23 "P/S".

- 24 (D) **Reference to General Use Category.** References to "General Use
25 Category" under the Use Type column means all of the uses in the Use
26 Category are allowed. The Use Category is defined in Article VIII.
27 Where specific Use Types are listed in the Use Type column, only the
28 listed Use Types in the Use Category are allowed. The Use Types are
29 defined in Article VIII.

- 30 (E) **Additional Regulations for Specific Uses.** References to sections in the
31 final column of Table 2-1103 (Additional Regulations for Specific Uses)
32 indicate that the listed use is subject to use-specific regulations. The
33 numbers provide a cross-reference to the "Additional Regulations for
34 Specific Uses" in Section 5-600.

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**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
	Home occupation (accessory to single family detached dwelling)	P	Section 5-400
	Model home	P	Section 5-500(A)
	Portable dwelling/trailer during construction of primary residence	P	Section 5-500
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Orphanage or similar institution	S	
	Tenant dwelling	S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services directly related to on-going agriculture,	Agricultural processing	P	Section 5-627
	Animal care business	P	Section 5-627
	Custom operators	P	Section 5-627

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**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
horticulture and animal husbandry activity, on-site	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian facilities	P	Section 5-627
	Equestrian facility, on lots of less than fifty (50) acres, or without frontage on a state maintained road	S	Section 5-627
	Virginia farm winery	P	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery sales, rental, and services	S	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm markets	P	Section 5-603
	Mill feed and farm supply center	S	Section 5-627
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
	Pet farms	P	Section 5-627
	Stable, private	P	Section 5-627
	Stable, neighborhood, on lots less than twenty-five (25) acres, or without frontage on a state maintained road	S	Section 5-627
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627

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**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES			
Day Care Facilities	Child care home	P	Section 5-609
	Child or adult day care center	S	Section 5-609
Cultural and Government Facilities	Bus shelter	P	
	Community center	S	
	Community center, HOA facilities only	P	
	Commuter parking lot, with greater than 50 spaces	S	
	Commuter parking lot, with 50 spaces or less	P	
	Library	S	
	Structure or use for federal, state, County, or local governmental purposes, not otherwise listed	S	
Education	School (elementary or middle), for fifteen (15) pupils or less	S	Section 5-655
	School (elementary, middle, or high), for more than 15 pupils	S	
Park and Open Space	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638

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**TABLE 2-1103
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Religious Assembly	Church, synagogue or temple, with seating capacity of 300 or less in sanctuary or main area	P	Section 5-639
	Church, synagogue or temple, with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	Public utility service center and storage yard	S	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Recycling drop off collection center, private	S	Section 5-607
	Sewer and water treatment plant	S	Section 5-621
	Utility substation, distribution	S	Section 5-616
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103 (D)
	Sewage and Water pumping station	P	Section 5-621
	Water storage tank	S	Section 5-621
COMMERCIAL USES			
Food and Beverage	Restaurant	S	Section 5-643
Office	Construction and/or sales trailer, during period of construction activity subject to establishment of date certain for removal	P	
Recreation and Entertainment	Camp, day and boarding	S	Section 5-645
	Golf course	S	Section 5-648
Retail Sales and Service	Artist studio	S	

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TABLE 2-1103 JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Small business	P/S	Section 5-614
Visitor Accommodation	Bed and breakfast homestay	P/S	Section 5-601
	Bed and breakfast inn	S	Section 5-601
INDUSTRIAL USES			
Telecommunication Use and/or Structure	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)

1 **2-1104 Lot and Building Requirements.**

2 (F) **Minimum Lot Size.** Ten thousand (10,000) square feet.

3 (G) **Minimum Lot Width.** Fifty (50) feet.

4 (H) **Minimum Front Yard.** Fifteen (15) feet.

5 (I) **Minimum Rear Yard.** Twenty-five (25) feet.

6 (J) **Minimum Side Yard.** Eight (8) feet

7 (K) **Building Height.** Thirty-five (35) feet maximum.

8 **2-1105 General Development Requirements.** The following general development
9 requirements shall apply to all development in the JLMA-2 district.

10 (A) **Minimum Open Space.** Thirty (30) percent. Active recreational uses
11 may be located within the open space.

12 (B) **Maximum Gross Density.** The maximum gross residential density shall
13 be one (1) unit per twenty thousand (20,000) square feet, calculated based
14 on the overall parcel, excluding roads. Open space shall be preserved by

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means of a permanent open space easement acceptable to the Board of Supervisors.

(C) Utilities.

(1) Both municipal water and municipal sewer facilities must be provided to every development site, if available as determined by the Town, except for Town-owned or County-owned and operated public uses that may use communal systems (except in areas near Purcellville, which are subject to the existing annexation agreement between the County of Loudoun and the Town of Purcellville). If municipal water or municipal sewer facilities are not available, development may be served by private well or septic system, respectively.

(2) All utility distribution lines shall be placed underground. Private wells, septic systems, and communal systems may be located within the open space ~~consistent with the standards of Section 6-2005.~~

~~(D) **Conservation Design.** Development shall comply with the conservation design standards of this Ordinance (Section 6-2000). Uses and activities allowed in the open space areas as provided in Section 6-2000.~~

(E) **Neighborhood Development Standards.** To ensure new development in the JLMA-2 district reinforces existing development patterns in the adjacent towns to the maximum extent feasible, reduces the need for automobile trips, minimizes the need for additional road improvements, and encourages walking to employment, shopping, and public facilities, development in this district shall meet the following requirements:

(1) Street System/Connectivity.

(a) **Connections to Existing Streets.** Connections to the existing or planned street system shall be made to the maximum extent feasible. All development plans shall incorporate and continue all streets stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development.

~~(b)~~ **Provision for Future Connections to Adjoining Land.** All developable land shall provide for future public street connections to adjacent developable parcels by providing a local street connection at least every six hundred sixty (660) feet along each subdivision plat boundary that abuts potentially developable or re-developable land, except that such street connections are not required on steep slopes, MDOD sensitivity areas, ~~karst feature buffers within the~~

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1 ~~LOD, or RSCOD protected corridors FOD~~ pursuant to
2 Sections 5-1508, 4-1600, 4-1900, and 4-~~1500~~2000. For the
3 purposes of this regulation, "developable land" should be
4 defined to include any vacant land areas not including or
5 constrained by primary conservation areas and rights of
6 way or restricted easements.

7 (c) **Block Form and Size.** To the maximum extent feasible,
8 blocks within developments shall maintain a rectilinear
9 pattern except where deviation is necessitated by
10 topographic or environmental considerations. Blocks shall
11 measure not less than three hundred (300) nor more than
12 six hundred sixty (660) feet along each side, as measured
13 from the edge of the right-of-way, except where deviation
14 is necessitated by topographic or environmental
15 considerations, or where deviation is required to comply
16 with regulations concerning steep slopes, MDOD
17 sensitivity areas, ~~FOD or RSCOD protected corridors~~
18 pursuant to Sections 5-1508, 4-1600 and ~~4-1500, 4-2000, or~~
19 ~~conservation design standards.~~

20 (d) **Avoidance of Certain Street Types.** Cul-de-sacs and "P-
21 loop" streets shall be avoided except where necessitated by
22 topographic or environmental considerations.

23 (e) **Provision of "T" Intersections.** "T" intersections are
24 encouraged in locations where views of important civic,
25 public or open space areas can be highlighted.

26 (2) **Variation of Lot Sizes.**

27 (a) **General Rule.** In all new residential subdivisions
28 containing ten (10) or more lots, a mixture of lot sizes and
29 dimensions shall be provided in order to allow for a variety
30 of housing opportunities and avoid monotonous
31 streetscapes. For example, larger and wider lots are
32 encouraged on corners. Smaller lots are encouraged
33 adjacent to parks and open spaces. No more than 60 percent
34 of all lots shall be similar in total lot area. For purposes of
35 this subsection, "similar" lot areas shall be defined as
36 within 500 square feet of each other.

37 (b) **Exception.** Up to seventy (70) percent of the lots within
38 the subject subdivision may be similar if the Zoning
39 Administrator, pursuant to Section 6-401, makes a finding
40 that, notwithstanding deviation from the sixty (60) percent
41 standard stated above, lot sizes and dimensions are
42 sufficiently varied, for different housing types, to avoid
43 monotonous streetscapes.

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- 1 (c) **Dispersion of Lot Sizes.** Similar lot sizes shall be distributed
2 throughout a subdivision rather than consolidated in one
3 area, unless the Zoning Administrator, pursuant to Section
4 6-401, makes a finding that the intent of this district and of
5 the Zoning Ordinance will be better served by a design that
6 tends to consolidate lots of similar sizes.

7 (3) **Sidewalks.**

- 8 (a) **Provision of Sidewalks and/or Trails.** Sidewalks and/or
9 trails shall be provided, at a minimum, along one side of all
10 streets to provide pedestrian access to the town or
11 neighborhood center, public buildings, schools, parks, and
12 other destinations, or greater if required by the Facilities
13 Standards Manual.

- 14 (b) **Sidewalk and/or trail Connections.** Connections to
15 existing or planned sidewalks and/or trails shall be made at
16 the property boundaries of the project by incorporating and
17 continuing all sidewalks and/or trails stubbed to or shown
18 as stubbed to the boundary of the development by
19 previously approved development plans/plats or existing
20 development. All development plans shall provide for
21 future sidewalk and/or trails' connections to adjacent
22 developable parcels at planned or current local street
23 connections along each subdivision plat boundary.

24 (4) **Civic and Open Space.**

- 25 (a) **Variety of Spaces to Be Provided.** A variety of greens,
26 parks or natural open spaces shall be located throughout the
27 development, where appropriate ~~and as determined by~~
28 ~~conservation design~~, to provide community identity.

- 29 (b) **Access to Civic Spaces.** Direct and convenient pedestrian
30 and bicycle access shall be provided adjacent residential
31 land uses and to the civic and open space.

- 32 (c) **Configuration of Park Access.** Land dedicated for parks
33 shall be bordered on at least one side by public streets,
34 preferably local or collector streets.

35 (5) **Other Design Requirements.**

- 36 (a) **Street Trees.** Street trees planted pursuant to Section 5-
37 1300 shall be planted at a density of no less than one
38 canopy shade tree per 25 feet on average, and shall be
39 placed in arrangements consistent with the existing
40 landscape of the vicinity.
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(b) **Garages.** Garages shall be set back at least four (4) feet behind the plane of the front door of the principal building. Garages shall have vehicular access only from the side or rear of the lot.

(c) **On-Street Parking.** Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

(F) **Compatibility Standards.**

(1) A minimum buffer width of 25 feet with a Type 2 buffer yard shall be provided between existing agricultural uses and residential development sites.

(2) On non-residential development sites:

(a) Areas for loading, delivery, and waste collection receptacles shall be sited so as to reduce the impact on surrounding properties to the maximum extent feasible, with highest priority given to reducing the impact on residential properties.

(b) Outdoor lighting shall be directed towards the interior of the development site and shall be shielded to prevent all direct illumination of other properties.

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1 **Section 2-1200 Joint Land Management Area-3 District: JLMA-3**

2 **2-1201 Purpose and Intent.** This district is established to accommodate and foster the
3 development of land within the town's joint land management areas (JLMAs)
4 outside the incorporated towns in Loudoun County to:

5 (A) Ensure development in the JLMA-3 district is consistent with the JLMA
6 serving as a gateway to the towns;

7 (B) Provide for the continued practice of agriculture, farm operations,
8 agriculturally related and home based businesses, low density clustered
9 residential developments and other uses in a predominantly rural
10 environment;

11 (C) Encourage an appropriate mix of residential and nonresidential land uses;

12 (D) Where appropriate, achieve a pattern of development that generally
13 conforms to the established, traditional pattern of development in the
14 towns.; and

15 (E) Implement jointly adopted plans where applicable.

16 **2-1202 Size and Location.** This district replaces the Agricultural Residential (A-3)
17 district within the JLMAs. It is the intent of the County that the JLMA-3
18 district boundaries not be extended beyond the existing JLMA boundaries.

19 **2-1203 Use Regulations.** Table 2-1203 summarizes the principal use regulations of the
20 JLMA-3 district.

21 (A) **Organization of Use Table.** Table 2-1203 organizes the uses in the
22 JLMA-3 district use table by Use Classifications, Use Categories and Use
23 Types.

24 (1) **Use Classifications.** The Use Classifications are: residential uses;
25 agricultural uses; public and institutional uses; commercial uses;
26 and industrial uses. The Use Classifications provide a systematic
27 basis for assigning present and future land uses into broad general
28 classifications (e.g., residential uses and agricultural uses). The
29 Use Classifications then organize land uses and activities into
30 general "Use Categories" and specific "Use Types" based on
31 common functional, product, or physical characteristics, such as
32 the type and amount of activity, the type of customers or residents,
33 how goods or services are sold or delivered, and site conditions.

34 (2) **Use Categories.** The Use Categories describe the major sub-
35 groups of the Use Classifications, based on common characteristics
36 (e.g., the residential Use Classification is divided into two major
37 Use Categories: Household Living and Group Living). Principal

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1 uses are identified in defining the Use Category. They are
2 principal uses that most closely share the common characteristics
3 that are key to the Use Category.

- 4 (3) **Use Types.** The Use Categories are then divided into specific Use
5 Types. The specific Use Types are included in the respective Use
6 Category. They identify the specific uses that are considered to
7 fall within characteristics identified in the Use Category. For
8 example, single family detached dwellings are a Use Type in the
9 Household Living Use Category.

- 10 (B) **Use Categories and Use Types Defined.** All the Use Categories and Use
11 Types listed in Table 2-1203 are defined in Article VIII (Definitions).

- 12 (C) **Permitted and Special Exception Uses.** A "P" in the column identified
13 "JLMA-3" indicates that a Use Category or specific Use Type is permitted
14 as a matter of right (as a permitted use) in the JLMA-3 district, subject to
15 compliance with all applicable standards and regulations in this Ordinance
16 and all other County ordinances. An "S" indicates that a Use Type is
17 allowed in the JLMA-3 district as a special exception in accordance with
18 the procedures and standards of Section 6-1300. In some instances, and
19 based on the Additional Regulations for Specific Uses (Section 5-600), a
20 Use Type will be permitted as a matter of right under certain conditions, or
21 allowed as a special exception under other conditions. These uses are
22 identified as "P/S".

- 23 (D) **Reference to General Use Category.** References to "General Use
24 Category" under the Use Type column mean all of the uses in the Use
25 Category are allowed. The Use Category is defined in Article VIII.
26 Where specific Use Types are listed in the Use Type column, only the
27 listed Use Types in the Use Category are allowed. The Use Type is
28 defined in Article VIII.

- 29 (E) **Additional Regulations for Specific Uses.** References to sections in the
30 final column of Table 2-1203 (Additional Regulations for Specific Uses)
31 indicate that the listed use is subject to use-specific regulations. The
32 numbers provide a cross-reference to the "Additional Regulations for
33 Specific Uses" in Section 5-600.

**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory apartment or dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
	Home occupation dwelling (accessory to single family detached dwelling)	P	Section 5-400
	Portable dwelling/trailer during construction of primary residence	P	Section 5-500
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Convent, monastery, or seminary	S	Section 5-656
	Orphanage or similar institution	S	
	Tenant dwelling	S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626

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**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	P	Section 5-627
	Animal care business	P	Section 5-627
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site- including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian facilities	P	Section 5-627
	Equestrian facility, with more than 10 special events per year	S	Section 5-627
	Equestrian facility, on lots of less than 50 acres or without frontage on a state maintained road	S	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm co-ops	P	Section 5-627
	Farm machinery repair	P	Section 5-627
	Farm machinery sales, rental, and service	S	Section 5-627
	Farm markets	P	Section 5-603
	Mill feed and farm supply center	S	Section 5-627
	Nursery, production	P	Section 5-605
	Nursery, commercial	S	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
	Pet farms	P	Section 5-627
	Stable, private	P	Section 5-627
	Stable, neighborhood, on lots less than twenty-five (25) acres, or without frontage on a state maintained road	S	Section 5-627

**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Virginia Farm Winery	P	Section 5-627
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
Animal Services	Animal hospital	S	Section 5-631
	Kennel	S	Section 5-606(A)
	Kennel, Indoor	P	Section 5-606(B)
	Veterinary service	P	Section 5-627
PUBLIC AND INSTITUTIONAL USES			
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care center	S	Section 5-609(B)
Cultural and Government Facilities	Bus shelter	P	
	Community center	S	
	Community center, HOA facilities only	P	
	Commuter parking lot, with greater than 50 spaces	S	
	Commuter parking lot, with less than 50 spaces	P	
	Library	S	
	Structure or use for federal, state, County, or local governmental purposes, not otherwise listed	S	
Education	School (elementary or middle), for fifteen (15) or less pupils	P	Section 5-655
	School (elementary, middle, or high), for more than 15 pupils	S	
Health Services	Office, medical	S	

**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Hospital	S	Section 5-610
Park and Open Space	Arboretum	S	
	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue or temple, with seating capacity of 300 or less in sanctuary or main area	P	Section 5-639
	Church, synagogue or temple, with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	Public utility service center and storage yard	S	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Sewage and water treatment plant	S	Section 5-621
	Utility substation, dedicated	P	Section 5-621
	Utility substation, transmission	S	Section 5-616 and 5-621

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**TABLE 2-1203
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless excepted by Section 1-103(D)
	Sewage and water pumping station	P	Section 5-621
	Water storage tank	S	Section 5-621
COMMERCIAL USES			
Conference and Training Centers	Rural agricultural corporate retreat	S	Section 5-619
Food and Beverage	Restaurant	S	Section 5-643
Office	Construction and/or sales trailer, during period of construction activity subject to establishment of date certain for removal	P	
	Educational or research facility related to the uses in this district	S	
Recreation and Entertainment	Camp, day and boarding	S	Section 5-645
	Country club	S	
	Golf course	S	Section 5-648
	Private club or lodge	S	
	Recreation establishment, outdoor	S	
Retail Sales and Service	Artist studio	S	
	Small business	P/S	Section 5-614
Visitor Accommodation	Bed and breakfast, homestay	P/S	Section 5-601(A)
	Bed and breakfast inn	S	Section 5-601(B)
	Country inn	S	Section 5-601

TABLE 2-1203 JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE			
P = PERMITTED S = SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	JLMA-3	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Guest farm or ranch, leasing no more than three (3) guest rooms	P	
INDUSTRIAL USES			
Telecommunications Use and/or Structure	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)

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2-1204 Lot and Building Requirements.

- (A) **Minimum Lot Size.** 20,000 square feet.
- (B) **Minimum Lot Width.** Sixty (60) feet.
- (C) **Front Yard.**
 - (1) **On Arterial Road.** Thirty-five (35) feet.
 - (2) **On Collector Road.** Twenty-five (25) feet.
 - (3) **On Other Roads.** Fifteen (15) feet.
- (D) **Minimum Rear Yard.** Twenty-five (25) feet.
- (E) **Minimum Side Yard.** Ten (10) feet.
- (F) **Building Height.** Thirty-five (35) feet maximum, except no restriction for buildings used exclusively for agriculture.
- (G) **Minimum Open Space.** Fifty (50) percent.
- (H) **Gross Density.** One residential unit per three (3) acres.

~~2-1205 Conservation Design. Development shall comply with the conservation design standards of this Ordinance. Uses and activities allowed in the open space set aside are as provided in Section 6-2000 (Conservation Design).~~

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1 **2-1206 Neighborhood Development Standards.** To ensure new development in the
2 JLMA-3 district reinforces existing development patterns in the adjacent town
3 to the maximum extent feasible, reduces the need for automobile trips,
4 minimizes the need for additional road improvements, and encourages
5 walking to employment, shopping, and public facilities, development in this
6 district shall meet the following requirements:

7 (A) **Street System/Connectivity.**

8 (1) **Connections to Existing Streets.** Connections to the existing or
9 planned street system shall be made to the maximum extent
10 feasible. All development plans shall incorporate and continue all
11 streets stubbed to or shown as stubbed to the boundary of the
12 development by previously approved development plans/plats or
13 existing development.

14 (2) **Provision for Future Connections to Adjoining Land.** All
15 developable land shall provide for future public street connections
16 to adjacent developable parcels by providing a local street
17 connection at least every six hundred sixty (660) feet along each
18 subdivision plat boundary that abuts potentially developable or re-
19 developable land, except that such street connections are not
20 required on steep slope, MDOD sensitivity areas, ~~karst feature~~
21 ~~buffers in the LOD, or FOD RSCOD protected corridors~~ pursuant
22 to Sections 5-1508, 4-1600, 4-1900, and 4-2000 4-1500. ~~For the~~
23 ~~purposes of this regulation, "developable land" should be defined~~
24 ~~to include any vacant land areas not including or constrained by~~
25 ~~primary conservation areas and rights of way or restricted~~
26 ~~easements.~~

27 (3) **Block Form and Size.** To the maximum extent feasible, blocks
28 within developments shall maintain a rectilinear pattern except
29 where deviation is necessitated by topographic or environmental
30 considerations. Blocks shall measure not less than three hundred
31 (300) nor more than six hundred sixty (660) feet along each side,
32 as measured from the edge of the right-of-way, except where
33 deviation is necessitated by topographic or environmental
34 considerations, or where deviation is required to comply with
35 regulations concerning steep slope, MDOD sensitivity areas, or
36 ~~FOD RSCOD protected corridors~~ pursuant to Sections 4-1508, 4-
37 1600 and 4-1500 ~~4-2000, or conservation design standards~~
38 ~~(Section 6-2000).~~

39 (4) **Avoidance of Certain Street Types.** Cul-de-sacs and "P-loop"
40 streets shall be avoided except where necessitated by topographic
41 or environmental considerations.

- 1 (5) **Provision of "T" Intersections.** "T" intersections are encouraged
2 in locations where views of important civic, public or open space
3 areas can be highlighted.

4 (B) **Variation of Lot Sizes.**

- 5 (1) **General Rule.** In all new residential subdivisions containing ten
6 (10) or more lots, a mixture of lot sizes and dimensions shall be
7 provided in order to allow a variety of housing opportunities and
8 avoid monotonous streetscapes. For example, larger and wider lots
9 are encouraged on corners. Smaller lots are encouraged adjacent
10 to parks and open spaces. No more than 60 percent of all lots shall
11 be similar in total lot area. For purposes of this subsection,
12 "similar" lot areas shall be defined as within 500 square feet of
13 each other.

- 14 (2) **Exception.** Up to seventy (70) percent of the lots within the
15 subject subdivision may be similar if the Zoning Administrator,
16 pursuant to Section 6-401, makes a finding that, notwithstanding
17 deviation from the sixty (60) percent standard stated above, lot
18 sizes and dimensions are sufficiently varied, for different housing
19 types, to avoid monotonous streetscapes.

- 20 (3) **Dispersion of Lot Sizes.** Similar lot sizes shall be distributed
21 throughout a subdivision rather than consolidated in one area,
22 unless the Zoning Administrator, pursuant to Section 6-401, makes
23 a finding that the intent of this district and of the Zoning Ordinance
24 will be better served by a design that tends to consolidate lots of
25 similar sizes.

26 (C) **Sidewalks.**

- 27 (1) **Provision of Sidewalks and/or Trails.** Sidewalks and/or trails
28 shall be provided, at a minimum, along one side of all streets to
29 provide pedestrian access to the town or neighborhood center,
30 public buildings, schools, parks, and other destinations, or greater
31 if required by the Facilities Standards Manual.

- 32 (2) **Sidewalk and/or Trail Connections.** Connections to existing or
33 planned sidewalks and/or trails shall be made at the property
34 boundaries of the project by incorporating and continuing all
35 sidewalks and/or trails stubbed to or shown as stubbed to the
36 boundary of the development by previously approved development
37 plans/plats or existing development. All development plans shall
38 provide for future sidewalk and/or trail connections to adjacent
39 developable parcels at planned or current local street connections
40 along each subdivision plat boundary.

1 (D) **Civic and Open Space.**

- 2 (1) **Variety of Spaces to Be Provided.** A variety of greens, parks or
3 natural open spaces shall be located throughout the development,
4 where appropriate ~~and as determined by conservation design~~, to
5 provide community identity.
- 6 (2) **Access to Civic Spaces.** Direct and convenient pedestrian and
7 bicycle access shall be provided (on the site being developed) to
8 adjacent residential land uses and to the civic and open space.
- 9 (3) **Configuration of Park Access.** Land dedicated for parks shall be
10 bordered on at least one side by public streets, preferably local or
11 collector streets.

12 (E) **Other Design Requirements.**

- 13 (1) **Street Trees.** Street trees planted pursuant to Section 5-1300 shall
14 be planted at a density of no less than one canopy shade tree per 25
15 feet on average, and shall be placed in arrangements consistent
16 with the existing landscape of the vicinity.
- 17 (2) **Garages.** Garages shall be set back at least four (4) feet behind the
18 plane of the front door of the principal building. Garages shall
19 have vehicular access only from the side or rear of the lot.
- 20 (3) **On-Street Parking.** Parallel parking may be provided on streets
21 in front of residential lots, except for lots fronting on collector or
22 arterial roads.

23 **2-1207 Utilities.**

- 24 (A) Both municipal water and municipal sewer facilities must be provided to
25 every development site, if available as determined by the Town, except for
26 Town-owned or County-owned and operated public uses that may use
27 communal systems (except in areas bear Purcellville, which are subject to
28 the existing annexation agreement between the County of Loudoun and
29 the Town of Purcellville). If municipal water or municipal sewer facilities
30 are not available, development may be served by private well or septic
31 system, respectively.
- 32 (B) All utility distribution lines shall be placed underground. Private wells,
33 septic systems, and communal systems may be located within the open
34 space ~~consistent with the standards of Section 6-2005.~~

35 **2-1208 Use Limitations.**

1 (A) No non-agricultural use shall be permitted which, because of its nature,
2 location, or manner of operation, is dangerous or noxious because of
3 noise, odor, fumes, gas, glare, light, vibration, smoke, emission of
4 particulate matter or effluents, or for other similar reasons.

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1 **ARTICLE II, DIVISION C – TRANSITION DISTRICT REGULATIONS**

2 **Section 2-1400 TR-10 (Transitional Residential - 10)**

3 **2-1401 Purpose and Intent.** The purpose and intent of the TR-10 district is to:

- 4 (A) Create a visual/spatial transition between the suburban area and the rural area of
5 the County;
- 6 (B) Provide for an environment that is low density in character to facilitate a
7 transition between the suburban area and the rural area of the County;
- 8 (C) Achieve a blend of rural and suburban development;
- 9 (D) Achieve a balance between the built and natural environment;
- 10 (E) Protect drinking water resources; and
- 11 (F) Implement requirements that open space be provided in conjunction with
12 ~~conservation design and other~~ the standards of this Ordinance.

13 **2-1402 Use Regulations.** Table 2-1402 summarizes the principal use regulations of the TR-10
14 district.

15 (A) **Organization of Use Table.** Table 2-1402 organizes the uses in the TR-10
16 district by Use Classifications, Use Categories and Use Types.

17 (1) **Use Classifications.** The Use Classifications are: residential uses;
18 agricultural uses; public and institutional uses; commercial uses; and
19 industrial uses. The Use Classifications provide a systematic basis for
20 assigning present and future land uses into broad general classifications
21 (e.g., residential uses and agricultural uses). The Use Classifications then
22 organize land uses and activities into general “Use Categories” and
23 specific “Use Types” based on common functional, product, or physical
24 characteristics, such as the type and amount of activity, the type of
25 customers or residents, how goods or services are sold or delivered, and
26 site conditions.

27 (2) **Use Categories.** The Use Categories describe the major sub-groups of the
28 Use Classification, based on common characteristics (e.g., the residential
29 Use Classification is divided into two major Use Categories: Household
30 Living and Group Living). Principal uses are identified in defining the Use
31 Category. They are principal uses that most closely share the common
32 characteristics that are key to the Use Category.

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(3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.

(B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-1402 are defined in Article VIII (Definitions).

(C) **Permitted and Special Exception Uses.** A "P" in the column identified "TR-10" indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the TR-10 district, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An "S" indicates that a Use Type is allowed in the TR-10 district as a special exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions, or allowed as a special exception under other conditions. In those instances, it is identified as "P/S."

(D) **Reference to General Use Category.** References to "General Use Category" under the Use Type column, means all of the uses in the Use Category are allowed. The Use Categories are defined in Article VIII. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.

(E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1402 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the "Additional Regulations for Specific Uses" in Section 5-600. All the Use Categories and Use Types listed in Table 2-1402 are defined in Article VIII (Definitions).

TABLE 2-1402 TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE			
P = PERMITTED S = SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613

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**TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Caretaker's residence (accessory to single family detached dwelling)	P	
	Dwelling, single-family detached, including manufactured housing	P	Manufacturing housing subject to Section 5-620
	Home occupation (accessory to single family detached dwelling)	P	Section 5-400
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
	Portable Dwelling/Construction Trailer	P	
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Convent or monastery	S	Section 5-656
	Orphanage or similar institution	S	
	Tenant dwelling (accessory to agriculture, horticulture or animal husbandry uses)	P/S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Agricultural processing	S	Section 5-627
	Animal care business	P	Section 5-627
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	P	Section 5-627

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TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Equestrian facilities	P	Section 5-627
	Equestrian facility, on lots of less than fifty (50) acres, or without frontage on a state maintained road	S	Section 5-627
	Farm co-ops	P	Section 5-627
	Farm based tourism	P	Section 5-628
	Farm markets	P	Section 5-603
	Pet farms	P	Section 5-627
	Nursery, commercial	S	Section 5-605
	Nursery, production	P	Section 5-605
	Nursery, production, without frontage on a state maintained road	S	Section 5-605
	Stables	P	Section 5-627
	Stable, neighborhood on lots less than twenty five (25) acres, or without frontage on a state maintained road	S	Section 5-627
	Virginia farm winery	P	
	Wayside stand	P	Section 5-604
	Wetlands mitigation bank	P	Section 5-627
Agricultural Support and Services Not Directly Associated with On-Site Agricultural Activity	Agricultural research facility	S	Section 5-644
	Animal care businesses	P	Section 5-630
	Central farm distribution hub	S	Section 5-630
	Equestrian facility	P	Section 5-630

TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Nursery, commercial	S	Section 5-605
	Stable, neighborhood, on lots of 25 acres or more, or frontage on state maintained road	P	Section 5-630
	Stable, private	P	Section 5-630
Animal Services	Animal hospital	S	Section 5-631
	Kennel	P	Section 5-606
	Kennel, Indoor	P	Section 5-606
	Veterinary service	P	
PUBLIC AND INSTITUTIONAL USES			
Aviation	Airport/landing strip	S	Section 5-633
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care center	S	Section 5-609(B)
Cultural and Governmental Facilities	Community center, HOA facilities only	P	
	Structures or uses for local government purposes not otherwise listed in the district	S	
Education	Colleges or universities (including dorms)	S	
	School (elementary or middle), for fifteen (15) pupils or less	P	Section 5-655
	School (elementary, middle, or high), for more than 15 pupils	S	
Park and Open Space	Arboretum	P	Section 5-636
	Botanical garden or nature study area	P	Section 5-636
	Cemetery	S	Section 5-637

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TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Mausoleum	S	Section 5-637
	Crematorium	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	
	Community, neighborhood or regional park, active recreational uses	S	
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639
	Church, synagogue, temple or mosque with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	Section 5-639
Utility	Communal sewer system	P	Section 5-621
	Communal water supply system	P	Section 5-621
	Public utility service center and storage yard	S	Section 5-621
	Public utility service center, without outdoor storage	P	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Recycling drop off collection center, private	S	Section 5-607
	Sewage and water treatment plant	S	Section 5-621
	Utility substation, dedicated	S	Section 5-621
	Utility substation, distribution	S	Section 5-616 and 5-621

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TABLE 2-1402
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Utility substation, transmission	S	Section 5-616 and 5-621
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless exempted by Section 1-103(D)
	Utility transmission line, underground	P	
	Water storage tank	S	Section 5-621
	Sewer and water pumping station	P	Section 5-621
COMMERCIAL USES			
Conference and Training Centers	Conference and training centers	S	Section 5-640
	Rural agricultural corporate retreat	S	Section 5-619
	Rural Resort	S	Section 5-601(D)
	Rural Retreat	S	Section 5-601(D)
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	Section 5-645
	Camp, day and boarding, with more than 30 campers	S	Section 5-645
	Campground	S	Section 5-646
	Eco-tourism	P	Section 5-647
	Golf course	S	Section 5-648
	Private club or lodge	S	
	Recreation establishment, outdoor	S	
	Rural recreation establishment, outdoor	P	
Retail Sales and Service	Antique shop	S	Section 5-650

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TABLE 2-1402 TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE			
P = PERMITTED S = SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	TR-10	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Art gallery or art studio	S	Section 5-650
	Craft shop	S	Section 5-650
	Farm machinery sales and service	S	Section 5-615
	Mill, feed and farm supply center	S	
	Small business	P/S	Section 5-614
	Studio space – artist, craftsperson, writer, etc.	P	Section 5-650
Visitor Accommodation	Bed and breakfast homestay	P/S	Section 5-601(A)
	Bed and breakfast inn	S	Section 5-601(B)
	Country inn	S	Section 5-601(C)
INDUSTRIAL USES			
Telecommunication Facilities	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)
Waste-Related Uses	Yard Waste and/or Vegetative waste composting facility	S	
	Stockpiling of dirt	S	Section 5-657

2-1403 Development Standards.

- (A) **General.** All development in the TR-10 district, unless exempted pursuant to Section 2-1403(B) shall be developed consistent with Section 5-701 (TR Districts Lot Standards) and 6-2000 (Conservation Design).

- 1 (B) **Exemptions.** The development of a lot existing on January 7, 2003 is exempted
2 from the standards and requirements of Section 5-701 (TR Districts Lot
3 Standards). The development of such lot shall be subject to the development
4 standards of Table 2-1403(B).

TABLE 2-1403(B):	
TR-10 BUILDING REQUIREMENTS FOR EXISTING LOTS	
(Lots Existing Prior to January 7, 2003)	
Minimum Required Yards	No building shall be located within 25 feet of any property line nor within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
Maximum Floor Area Ratio	0.05
Maximum Building Height	35 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.

1 **Section 2-1500 TR-3 (Transitional Residential-3)**

2 **2-1501 Purpose and Intent.**

3 (A) The purpose and intent of the TR-3 district is to:

4 (1) Create a visual/spatial transition between the suburban area and the rural
5 area of the County;

6 (2) Achieve a blend of rural and suburban development;

7 (3) Encourage new development designs that incorporate both suburban and
8 rural features;

9 (4) Achieve a balance between the built and natural environment;

10 (5) Protect and integrate open space and natural resources; and

11 (6) Implement requirements that open space be provided in conjunction with
12 ~~conservation design and other~~ the standards of this Ordinance.

13 (B) **TR-3UBF** This sub-district establishes a minimum of 50% open space to be
14 more compatible with adjacent suburban development.

15 (C) **TR-3LBR** is created as a sub-district of TR-3 to reflect differing open space
16 requirements. This sub-district establishes a minimum of 70% open space in
17 order to be more compatible with rural development patterns in adjoining
18 jurisdictions and to protect the environment and areas surrounding the Bull Run.

19 (D) **TR-3LF** This sub-district establishes a minimum of 50% open space in order to
20 be more compatible with adjacent suburban development.

21 **2-1502 Use Regulations.** Table 2-1502 summarizes the principal use regulations of the TR-3
22 districts.

23 (A) **Organization of Use Table.** Table 2-1502 organizes the uses in the TR-3 districts
24 by Use Classifications, Use Categories and Use Types.

25 (1) **Use Classifications.** The Use Classifications are: residential uses;
26 agricultural uses; public and institutional uses; commercial uses; and
27 industrial uses. The Use Classifications provide a systematic basis for
28 assigning present and future land uses into broad general classifications
29 (e.g., residential uses and agricultural uses). The Use Classifications then
30 organize land uses and activities into general "Use Categories" and
31 specific "Use Types" based on common functional, product, or physical
32 characteristics, such as the type and amount of activity, the type of

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customers or residents, how goods or services are sold or delivered, and site conditions.

(2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.

(3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.

(B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types listed in Table 2-1502 are defined in Article VIII (Definitions).

(C) **Permitted and Special Exception Uses.** A "P" in the column identified "TR-3" indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the TR-3 districts, subject to compliance with all applicable standards and regulations in this Ordinance and all other County ordinances. An "S" indicates that a Use Type is allowed in the TR-3 districts as a special exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under certain conditions or allowed as a special exception under other conditions. In those instances, it is identified as "P/S."

(D) **Reference to General Use Category.** References to "General Use Category" under the Use Type column, means all of the uses in the Use Category are allowed. The Use Category is defined in Article VIII. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.

(E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1502 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the "Additional Regulations for Specific Uses" in Section 5-600. All the Use Categories and Use Types listed in Table 2-1502 are defined in Article VIII (Definitions).

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TABLE 2-1502
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES					
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	P	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	P	P	Manufactured housing subject to Section 5-620.
	Home occupation (accessory to single family detached dwelling)	P	P	P	Section 5-400
	Portable Dwelling/ Construction Trailer	P	P	P	
	Guest house (accessory to single family detached dwelling)	P	P	P	Section 5-612
Group Living	Congregate housing facility	S	S	S	
	Continuing care facility	S	S	S	
	Convent or monastery	S	S	S	Section 5-656
	Orphanage or similar institution	S	S	S	
	Tenant dwelling	P/S	P/S	P/S	Section 5-602
AGRICULTURAL USES					
Agriculture	General Use Category	P	P	P	Section 5-626
Horticulture	General Use Category	P	P	P	Section 5-626
Animal Husbandry	General Use Category	P	P	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and	Agricultural processing		S		Section 5-627
	Animal care business	P	P	P	Section 5-627
	Custom operators	P	P	P	Section 5-627

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**TABLE 2-1502
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Animal Husbandry Activity, On-Site	Direct market business for sale of products produced on-site-including but not limited to PYO (pick-your-own)	P	P	P	Section 5-627
	Equestrian facilities	P	P	P	Section 5-627
	Equestrian facility, on lots of less than fifty (50) acres, or without frontage on a state maintained road	S	S	S	Section 5-627
	Farm co-ops	P	P	P	Section 5-627
	Farm based tourism	P	P	P	Section 5-628
	Farm markets	P	P	P	Section 5-603
	Nursery, commercial	S	S	S	Section 5-605
	Nursery, production		P		Section 5-605
	Nursery, production, without frontage on a state maintained road		S		Section 5-605
	Pet farms	P	P	P	Section 5-627
	Stables	P	P	P	Section 5-627
	Stable, neighborhood on lots less than twenty five (25) acres, or without frontage on a state maintained road	S	S	S	Section 5-627
	Virginia farm winery	P	P	P	
	Wayside stand	P	P	P	Section 5-604
Agricultural Support and Services <u>not</u> directly associated with	Agricultural Research Facility	S	S	S	Section 5-644
	Animal Care Business	P	P	P	Section 5-630

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**TABLE 2-1502
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
agricultural activity	Equestrian Facility	P	P	P	Section 5-630
	Equestrian facility on lots of less than 50 acres or without frontage on a state maintained road	S	S	S	Section 5-630
	Stable, neighborhood on lots	P	P	P	Section 5-630
	Stable, Private	S	S	S	Section 5-630
Animal Services	Animal Hospital	S	S	S	Section 5-631
	Kennel		S		Section 5-606
	Kennel, Indoor		P		Section 5-606
	Veterinary service	P	P	P	
PUBLIC AND INSTITUTIONAL USES					
Day Care Facilities	Child care home	P	P	P	Section 5-609(A)
	Child or adult day care center	S	S	S	Section 5-609(B)
Cultural and Governmental Facilities	Community center, HOA facilities only	P	P	P	
	Structures or uses for local government purpose not otherwise listed in the district	S	S	S	
Education	Colleges or universities (including dorms)	S	S	S	
	School (elementary or middle), for fifteen (15) pupils or less	P	P	P	Section 5-655
	School (elementary, middle, or high), for more than 15 pupils	S	S	S	
	Seminary	S	S	S	

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**TABLE 2-1502
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Vocational school	S	S	S	
Park and Open Space	Arboretum	P	P	P	Section 5-636
	Botanical garden or nature study area	P	P	P	Section 5-636
	Cemetery	S	S	S	Section 5-637
	Mausoleum	S	S	S	Section 5-637
	Crematorium	S	S	S	Section 5-637
	Community, neighborhood or regional park, passive recreational uses	P	P	P	
	Community, neighborhood or regional park, active recreational uses	S	S	S	
	Wetland mitigation bank	P	P	P	
Public Safety	Fire and/or rescue station	S	S	S	Section 5-638
	Police station or substation	S	S	S	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque with seating capacity of 300 or less seats in sanctuary or main activity area	P	P	P	Section 5-639
	Church, synagogue, temple, or mosque with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	S	S	Section 5-639

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TABLE 2-1502
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Utility	Communal sewer system	P			Section 5-621
	Communal water supply system	P			Section 5-621
	Public utility service center and storage yard	S	S	S	Section 5-621
	Public utility service center, without outdoor storage	P	P	P	Section 5-621
	Recycling drop off collection center, public	P	P	P	Section 5-607
	Recycling drop off collection center, private	S	S	S	Section 5-607
	Water and sewage treatment plant	S	S	S	Section 5-621
	Utility substation, dedicated	P	S	P	Section 5-621
	Utility substation, distribution	S	S	S	Section 5-616 and 5-621
	Utility substation, transmission	S	S	S	Section 5-616 and 5-621
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	S	S	Unless exempted by Section 1-103 (D)
	Utility transmission line, underground	P	P	P	
	Water storage tank	S	S	S	Section 5-621
	Water and sewer pumping station	P	P	P	Section 5-621
COMMERCIAL USES					
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	P	P	Section 5-645

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TABLE 2-1502 TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE					
P = PERMITTED S = SPECIAL EXCEPTION					
USE CATEGORY	USE TYPE	TR-3 UBF	TR-3 LBR	TR-3 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Camp, day and boarding, with more than 30 campers	S	S	S	Section 5-645
	Golf course	S	S	S	Section 5-648
	Private club or lodge	S	S	S	
Retail Sales and Service	Small business	P/S	P/S	P/S	Section 5-614
Visitor Accommodation	Bed and breakfast homestay	P/S	P/S	P/S	Section 5-601(A)
	Bed and breakfast inn	S	S	S	Section 5-601(B)
	Country inn		S		Section 5-601(C)
INDUSTRIAL USES					
Telecommunication Facilities	Radio and/or television tower	S	S	S	Section 5-618
	Telecommunications antenna	P	P	P	Section 5-618(A)
	Telecommunications monopole	P	P	P	Section 5-618(B)(1)
	Telecommunications monopole	S	S	S	Section 5-618(B)(2)
	Telecommunication transmissions tower	S	S	S	Section 5-618(C)(2)
Waste-Related Uses	Yard Waste and/or Vegetative waste composting facility		S		

1 **2-1503 Development Standards.**

2 (A) **General.** All development in the TR-3 districts, unless exempted pursuant to
3 Section 2-1503(B), shall be developed consistent with Section 5-701 (TR Districts
4 Lot Standards) and 6-2000 (Conservation Design).

5 (B) **Exemptions.** The development of a lot existing on January 7, 2003 is exempted
6 from the standards and requirements of Section 5-701 (TR Districts Lot

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Standards). The development of such lot shall be subject to the development standards of Table 2-1503(B).

**TABLE 2-1503(B):
TR-3 BUILDING REQUIREMENTS FOR EXISTING LOTS
(Lots Existing Prior to January 7, 2003)**

Minimum Required Yards	No building shall be located within 25 feet of any property line nor within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
Maximum Floor Area Ratio	0.05
Maximum Building Height	35 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.

2-1504 Other Special Requirements. No non-agricultural use shall be permitted which, because of its nature, location, or manner of operation, is dangerous or noxious because of noise, odor, fumes, gas, glare, light, vibration, smoke, emission of particulate matter or effluents, or for other similar reasons.

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Section 2-1600 TR-2 (Transitional Residential - 2)

2-1601 Purpose and Intent. The purpose and intent of the TR-2 district is to:

- (A) Create a visual/spatial transition between the suburban area and the rural area of the County;
- (B) Achieve a blend of rural and suburban development;
- (C) Encourage new development designs that incorporate both suburban and rural features;
- (D) Achieve a balance between the built and natural environment;
- (E) Protect and integrate open space and natural resources; and
- (F) Implement requirements that open space be provided in conjunction with ~~conservation design and other~~ the standards of this Ordinance.

2-1602 Use Regulations. Table 2-1602 summarizes the principal use regulations of the TR-2 district.

(A) **Organization of Use Table.** Table 2-1602 organizes the uses in the TR-2 district by Use Classifications, Use Categories and Use Types.

(1) **Use Classifications.** The Use Classifications are: residential uses; agricultural uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications provide a systematic basis for assigning present and future land uses into broad general classifications (e.g., residential uses and agricultural uses). The Use Classifications then organize land uses and activities into general "Use Categories" and specific "Use Types" based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.

(2) **Use Categories.** The Use Categories describe the major sub-groups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.

(3) **Use Types.** The Use Categories are then divided into specific Use Types. The specific Use Types are included in the respective Use Category. They

1 identify the specific uses that are considered to fall within characteristics
2 identified in the Use Category. For example, single family detached
3 dwellings, multi-family dwellings and town houses are Use Types in the
4 Household Living Use Category.

5 (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types
6 listed in Table 2-1602 are defined in Article VIII (Definitions).

7 (C) **Permitted and Special Exception Uses.** A "P" in the column identified "TR-2"
8 indicates that a Use Category or specific Use Type is permitted as a matter of
9 right (as a permitted use) in the TR-2 district, subject to compliance with all
10 applicable standards and regulations in this Ordinance and all other county
11 ordinances. An "S" indicates that a Use Type is allowed in the TR-2 district as a
12 special exception in accordance with the procedures and standards of Section 6-
13 1300. In some instances and based on the Additional Regulations for Specific
14 Uses (Section 5-600), a Use Type will be permitted under certain conditions
15 (allowed as a permitted use), or allowed as a special exception under other
16 conditions. In those instances, it is identified as "P/S."

17 (D) **Reference to General Use Category.** References to "General Use Category"
18 under the Use Type column, means all of the uses in the Use Category are
19 allowed. The Use Categories are defined in Article VIII. Where specific Use
20 Types are listed in the Use Type column, only the listed Use Types in the Use
21 Category are allowed. The Use Types are defined in Article VIII.

22 **Additional Regulations for Specific Uses.** References to sections in the final column of Table
23 2-1602 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-
24 specific regulations. The numbers provide a cross-reference to the "Additional Regulations for
25 Specific Uses" in Section 5-600. All the Use Categories and Use Types listed in Table 2-1602
26 are defined in Article VIII (Definitions).
27

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**TABLE 2-1602
TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES			
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	Manufactured housing subject to Section 5-620.
	Home occupation (accessory to single family detached dwelling)	P	Section 5-400
	Portable Dwelling/ Construction Trailer	P	
	Guest house (accessory to single family detached dwelling)	P	Section 5-612
Group Living	Congregate housing facility	S	
	Continuing care facility	S	
	Orphanage or similar institution	S	
	Monastery or convent	S	Section 5-656
	Tenant dwelling	P/S	Section 5-602
AGRICULTURAL USES			
Agriculture	General Use Category	P	Section 5-626
Horticulture	General Use Category	P	Section 5-626

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**TABLE 2-1602
TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Animal Husbandry	General Use Category	P	Section 5-626
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Animal care business	P	Section 5-627
	Custom operators	P	Section 5-627
	Direct market business for sale of products produced on-site including but not limited to PYO (pick-your-own)	P	Section 5-627
	Equestrian facilities	P	Section 5-627
	Equestrian facility, on lots of less than fifty (50) acres, or without frontage on a state maintained road	S	Section 5-627
	Farm co-ops	P	Section 5-627
	Farm based tourism events	P	Section 5-628
	Farm markets	P	Section 5-603
	Pet farms	P	Section 5-627
	Stables	P	Section 5-627
	Stable, neighborhood on lots less than twenty five (25) acres, or without frontage on a state maintained road	S	Section 5-627
	Wayside stand	P	Section 5-604
Animal Services	Veterinary service	P	
PUBLIC AND INSTITUTIONAL USES			
Day Care Facilities	Child care home	P	Section 5-609(A)
	Child or adult day care	S	Section 5-609(B)
Cultural and Governmental	Community center, HOA facilities only	P	

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**TABLE 2-1602
TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Facilities	Structures or uses for local government purposes not otherwise listed	S	
Education	Colleges or Universities (including dorms)	S	
	School (elementary or middle), for fifteen (15) pupils or less	P	Section 5-655
	School (elementary, middle, or high), for more than 15 pupils	S	
	Seminary	S	
	Vocational school	S	
Park and Open Space	Cemetery	S	Section 5-637
	Mausoleum	S	Section 5-637
	Community, neighborhood, or regional park, passive recreational uses	P	
	Community, neighborhood, or regional park, active recreational uses	S	
	Wetlands mitigation bank	P	
Public Safety	Fire and/or rescue station	S	Section 5-638
	Police station or substation	S	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639
	Church, synagogue, temple, or mosque with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers, with more than 50 children, recreational facilities	S	Section 5-639
Utility	Communal sewer system	P	Section 5-621

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TABLE 2-1602
TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Communal water supply system	P	Section 5-621
	Public utility service center and storage yard	S	Section 5-621
	Public utility service center, without outdoor storage	P	Section 5-621
	Recycling drop off collection center, public	P	Section 5-607
	Recycling drop off collection center, private	S	Section 5-607
	Sewage and water treatment plant	S	Section 5-621
	Utility substation, dedicated	S	Section 5-621
	Utility substation, distribution	S	Section 5-616 and 5-621
	Utility substation, transmission	S	Section 5-616 and 5-621
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	Unless exempted by Section 1-103 (D)
	Utility transmission line, underground	P	
	Water storage tank	S	Section 5-621
	Sewage and water pumping station	P	Section 5-621
COMMERCIAL USES			
Recreation and Entertainment	Golf course	S	Section 5-648
	Private club or lodge	S	
Retail Sales and Service	Small business	P/S	Section 5-614
Visitor Accommodation	Bed and breakfast homestay	P/S	Section 5-601(A)
	Bed and breakfast inn	S	Section 5-601(B)

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TABLE 2-1602 TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE			
P = PERMITTED S = SPECIAL EXCEPTION			
USE CATEGORY	USE TYPE	TR-2	ADDITIONAL REGULATIONS FOR SPECIFIC USES
INDUSTRIAL USES			
Telecommunication Facilities	Radio and/or television tower	S	Section 5-618
	Telecommunications antenna	P	Section 5-618(A)
	Telecommunications monopole	P	Section 5-618(B)(1)
	Telecommunications monopole	S	Section 5-618(B)(2)
	Telecommunication tower	S	Section 5-618(C)(2)

2-1603 Development Standards.

- (A) **General.** All development in the TR-2 district, unless exempted pursuant to Section 2-1603 (B) shall be developed consistent with Section 5-701 (TR Districts Lot Standards) and 6-2000 (Conservation Design).
- (B) **Exemptions.** The development of a lot existing on the date of adoption is exempted from the standards and requirements of Section 5-701 (TR Districts Lot Standards). The development of such lot shall be subject to the development standards of Table 2-1603(B).

TABLE 2-1603(B): TR-2 BUILDING REQUIREMENTS FOR EXISTING LOTS (Lots Existing Prior to January 7, 2003)	
Minimum Required Yards	No building shall be located within 25 feet of any property line nor within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
Maximum Floor Area Ratio	0.05
Maximum Building Height	35 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.

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1 **Section 2-1700 TR-1 (Transitional Residential - 1)**

2 **2-1701 Purpose and Intent.**

3 (A) The purpose and intent of the TR-1 districts is to:

- 4 (1) Create a visual/spatial transition between the suburban area and the rural
5 area of the County;
- 6 (2) Achieve a blend of rural and suburban development;
- 7 (3) Encourage new development designs that incorporate both suburban and
8 rural features;
- 9 (4) Achieve a balance between the built and natural environment;
- 10 (5) Protect and integrate open space and natural resources; and
- 11 (6) Implement requirements that open space be provided in conjunction with
12 ~~the conservation design and other~~ standards of this Ordinance.

13 **2-1702 Use Regulations.** Table 2-1702 summarizes the principal use regulations of the TR-1
14 districts.

15 (A) **Organization of Use Table.** Table 2-1702 organizes the uses in the TR-1
16 districts by Use Classifications, Use Categories and Use Types.

17 (1) **Use Classifications.** The Use Classifications are: residential uses;
18 agricultural uses; public and institutional uses; commercial uses; and
19 industrial uses. The Use Classifications provide a systematic basis for
20 assigning present and future land uses into broad general classifications
21 (e.g., residential uses and agricultural uses). The Use Classifications then
22 organize land uses and activities into general "Use Categories" and
23 specific "Use Types" based on common functional, product, or physical
24 characteristics, such as the type and amount of activity, the type of
25 customers or residents, how goods or services are sold or delivered, and
26 site conditions.

27 (2) **Use Categories.** The Use Categories describe the major sub-groups of the
28 Use Classification, based on common characteristics (e.g., the residential
29 Use Classification is divided into two major Use Categories: Household
30 Living and Group Living). Principal uses are identified in defining the Use
31 Category. They are principal uses that most closely share the common
32 characteristics that are key to the Use Category.

1 (3) **Use Types.** The Use Categories are then divided into specific Use Types.
2 The specific Use Types are included in the respective Use Category. They
3 identify the specific uses that are considered to fall within characteristics
4 identified in the Use Category. For example, single family detached
5 dwellings, multi-family dwellings and town houses are Use Types in the
6 Household Living Use Category.

7 (B) **Use Categories and Use Types Defined.** All the Use Categories and Use Types
8 listed in Table 2-1702 are defined in Article VIII (Definitions).

9 (C) **Permitted and Special Exception Uses.** A "P" in the column identified "TR-1"
10 indicates that a Use Category or specific Use Type is permitted as a matter of
11 right (as a permitted use) in the TR-1 districts, subject to compliance with all
12 applicable standards and regulations in this Ordinance and all other county
13 ordinances. An "S" indicates that a Use Type is allowed in the TR-1 districts as
14 a special exception in accordance with the procedures and standards of Section 6-
15 1300. In some instances and based on the Additional Regulations for Specific
16 Uses (Section 5-600), a Use Type will be permitted as a matter of right under
17 certain conditions or allowed as a special exception under other conditions. In
18 those instances, it is identified as "P/S."

19 (D) **Reference to General Use Category.** References to "General Use Category"
20 under the Use Type column, means all of the uses in the Use Category are
21 allowed. The Use Categories are defined in Article VIII. Where specific Use
22 Types are listed in the Use Type column, only the listed Use Types in the Use
23 Category are allowed. The Use Types are defined in Article VIII.

24 (E) **Additional Regulations for Specific Uses.** References to sections in the final
25 column of Table 2-1702 (Additional Regulations for Specific Uses) indicate that
26 the listed use is subject to use-specific regulations. The numbers provide a cross-
27 reference to the "Additional Regulations for Specific Uses" in Section 5-600. All
28 the Use Categories and Use Types listed in Table 2-1702 are defined in Article
29 VIII (Definitions).

TABLE 2-1702
TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICTS USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-1 UBF	TR-1 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
RESIDENTIAL USES				
Household Living	Accessory dwelling (accessory to single family detached dwelling)	P	P	Section 5-613
	Dwelling, single-family detached, including manufactured housing	P	P	Manufactured housing subject to Section 5-620.
	Home occupation (accessory to single family detached dwelling)	P	P	Section 5-400
	Portable Dwelling/ Construction Trailer	P	P	
	Guest house (accessory to single family detached dwelling)	P	P	Section 5-612
Group Living	Congregate housing facility	S	S	
	Continuing care facility	S	S	
	Orphanage or similar institution	S	S	
	Monastery or convent	S	S	Section 5-656
	Tenant dwelling	P/S	P/S	Section 5-602
AGRICULTURAL USES				
Agriculture	General Use Category	P	P	Section 5-626
Horticulture	General Use Category	P	P	Section 5-626
Animal Husbandry	General Use Category	P	P	Section 5-626

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**TABLE 2-1702
TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-1 UBF	TR-1 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Agriculture Support and Services Directly Related to On-going Agriculture, Horticulture and Animal Husbandry Activity, On-Site	Animal care business	P	P	Section 5-627
	Custom operators	P	P	Section 5-627
	Direct market business for sale of products produced on-site - including but not limited to PYO (pick-your- own)	P	P	Section 5-627
	Equestrian facilities	P	P	Section 5-627
	Equestrian facilities, on lots of less than fifty (50) acres, or without frontage on a state maintained road	S	S	Section 5-627
	Farm co-ops	P	P	Section 5-627
	Farm based tourism	P	P	Section 5-628
	Farm markets	P	P	Section 5-603
	Pet farms	P	P	Section 5-627
	Stables	P	P	Section 5-627
	Stable, neighborhood on lots less than twenty five (25) acres, or without frontage on a state maintained road	S	S	Section 5-627
	Wayside stand	P	P	Section 5-604
Animal Services	Veterinary service	P	P	

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TABLE 2-1702 TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICTS USE TABLE				
P = PERMITTED S = SPECIAL EXCEPTION				
USE CATEGORY	USE TYPE	TR-1 UBF	TR-1 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
PUBLIC AND INSTITUTIONAL USES				
Day Care Facilities	Child care home	P	P	Section 5-609(A)
	Child or adult day care	S	S	Section 5-609(B)
Cultural and Governmental Facilities	Community center, HOA facilities only	P	P	
	Structure or uses for local government purposes not otherwise listed in district	S	S	
Education	Colleges or universities (including dorms)	S	S	
	School (elementary or middle), for fifteen (15) pupils or less	P	P	Section 5-655
	School (elementary, middle, or high), for more than 15 pupils	S	S	
	Seminary	S	S	
	Vocational school	S	S	
Park and Open Space	Cemetery	S	S	Section 5-637
	Mausoleum	S	S	Section 5-637
	Crematorium	S	S	Section 5-637
	Community, neighborhood, or regional park, passive recreational uses	P	P	
	Community, neighborhood, or regional park, active recreational uses	S	S	
	Wetland mitigation bank	P	P	

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TABLE 2-1702
TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICTS USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-1 UBF	TR-1 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Public Safety	Fire and/or rescue station	S	S	Section 5-638
	Police station or substation	S	S	Section 5-638
Religious Assembly	Church, synagogue, temple or mosque with seating capacity of 300 or less seats in sanctuary or main activity area	P	P	Section 5-639
	Church, synagogue, temple, or mosque with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities	S	S	Section 5-639
Utility	Communal sewer system	P		Section 5-621
	Communal water supply system	P		Section 5-621
	Public utility service center and storage yard	S	S	Section 5-621
	Public utility service center, without outdoor storage	P	P	Section 5-621
	Recycling drop off collection center, public	P	P	Section 5-607
	Recycling drop off collection center, private	S	S	Section 5-607
	Sewage and water treatment plant	S	S	Section 5-621
	Utility substation, dedicated	P	P	Section 5-621
	Utility substation, distribution	S	S	Section 5-616 and 5-621
	Utility substation, transmission	S	S	Section 5-616 and 5-621

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TABLE 2-1702
TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICTS USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

USE CATEGORY	USE TYPE	TR-1 UBF	TR-1 LF	ADDITIONAL REGULATIONS FOR SPECIFIC USES
	Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites)	S	S	Unless exempted by Section 1-103(D)
	Utility transmission line, underground	P	P	
	Water storage tank	S	S	Section 5-621
	Water and sewer pumping station	P	P	Section 5-621
COMMERCIAL USES				
Recreation and Entertainment	Golf course	S	S	Section 5-648
	Private club or lodge	S	S	
Retail Sales and Service	Small business	P/S	P/S	Section 5-614
Visitor Accommodation	Bed and breakfast homestay	P/S	P/S	Section 5-601(A)
	Bed and breakfast inn	S	S	Section 5-601(B)
INDUSTRIAL USES				
Telecommunication Facilities	Radio and/or television tower	S	S	Section 5-618
	Telecommunications antenna	P	P	Section 5-618(A)
	Telecommunications monopole	P	P	Section 5-618(B)(1)
	Telecommunications monopole	S	S	Section 5-618(B)(2)
	Telecommunication tower	S	S	Section 5-618(C)(2)

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1 **2-1703 Development Standards.**

2 (A) **General.** All development in the TR-1 districts, unless exempted pursuant to
3 Section 2-1703(B) shall be developed consistent with Section 5-701 (TR Districts
4 Lot Standards) and ~~6-2000 (Conservation Design)~~.

5 (B) **Exemptions.** The development of a lot existing on January 7, 2003 is exempted
6 from the standards and requirements of Section 5-701 (TR Districts Lot
7 Standards). The development of such lot shall be subject to the development
8 standards of Table 2-1703(B).

TABLE 2-1703(B): TR-1 BUILDING REQUIREMENTS FOR EXISTING LOTS (Lots Existing Prior to January 7, 2003)	
Minimum Required Yards	No building shall be located within 25 feet of any property line nor within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and 35 feet from any other road right-of-way, private access easement, and any prescriptive easement.
Maximum Floor Area Ratio	0.05
Maximum Building Height	35 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.

1 **Section 4-1900 — Limestone Conglomerate Overlay District (LOD)**

2
3 **4-1901 — Purpose and Intent.** A large area just east of the Catoctin Mountain
4 range in the Rural Policy Area of Loudoun County is comprised of
5 limestone and “Karst terrain” areas. The limestone geology of
6 carbonate deposits is dissolved over time by mildly acidic
7 precipitation, creating fissures. The deposits are highly permeable,
8 allowing surface water to pass through quickly to underlying aquifers
9 and groundwater, and to reappear elsewhere as springs. The terrain is
10 also characterized by the presence of certain natural features, such as
11 sinkholes and rock outcrops. Thus, development on Karst terrain has a
12 direct correlation to the potential for collapse and ground slippage and
13 the susceptibility of groundwater and surface water pollution, and
14 spring contamination, posing serious risks to public health, safety, and
15 welfare. The provisions of this Section 4-1900 are intended to regulate
16 land use and development in areas underlain by limestone and in areas
17 with Karst features and Karst terrain in such a manner so as to:

- 18 (A) — Protect groundwater and surface water resources from
19 contamination;
- 20 (B) — Reduce potential for property damage resulting from
21 subsidence or other earth movement; and
- 22 (C) — Protect the health, safety, and welfare of the public.

23 **4-1902 — Authority.** Authority for these provisions includes:

- 24 (A) — Chapter 11, Title 15.2, Code of Virginia (Planning,
25 Subdivision of Land and Zoning);
- 26 (B) — Soil Conservation Districts Law, Va. Code Sections 21-2(e),
27 21-2(d);
- 28 (C) — Virginia Environmental Quality Act, Va. Code Section 10-
29 178;
- 30 (D) — Erosion and Sediment Control Act, Va. Code Section 21-
31 89.2.

32 **4-1903 — Applicability and Exemptions.**

- 33 (A) — **Applicability Land Area and Features Included in the**
34 **LOD.** This Section 4-1900 shall apply to all land area and
35 karst features included in the Limestone Conglomerate
36 Overlay District (LOD), as shown on the official Limestone
37 Conglomerate Overlay District Map of Loudoun County

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1 ("LOD Map"), which with all explanatory matter thereon, is
2 hereby incorporated by reference.

3 (1) ~~The LOD Map delineates the following features:~~

4 (a) ~~The extent of the limestone bedrock~~
5 ~~formations;~~

6 (b) ~~Sinkholes; and~~

7 (c) ~~Rock outcrops.~~

8 (2) ~~The LOD Map does not delineate required buffers~~
9 ~~around karst features. (See Section 4-1905 below.)~~

10 (B) ~~Applicability Covered Activities.~~ This Section shall
11 apply to all proposed land disturbing activities, including
12 non-agricultural rural economy uses, new single family
13 development, and subdivision, that occurs within the LOD.
14 Expansion, alteration, or reconstruction of legally existing
15 buildings, structures, and impervious surface areas existing
16 on January 7, 2003 shall not be covered, provided that such
17 alteration does not increase the total footprint of a structure
18 or impervious surface by more than twenty five percent
19 (25%) or 2,000 square feet, whichever is greater.

20 (C) ~~Exemptions.~~ The following land disturbing activities shall
21 be allowed within the LOD, subject to the specific limits set
22 forth below:
23

24 (1) ~~Agricultural Operations.~~ This section shall not
25 apply to agricultural operations located in the LOD
26 that are covered by a Conservation Farm
27 Management Plan, approved by the Loudoun
28 County Soil and Water Conservation District or the
29 U.S. Natural Resources and Conservation Service
30 that includes best management practices, and a
31 Nutrient Management Plan (where applicable).
32 Structures associated with agricultural operations
33 are not exempt from these provisions.

34 (2) ~~Existing Legal Lots within Sensitive Limestone~~
35 ~~Areas.~~ Following a Geotechnical or Geophysical
36 study, a legal lot of record, which lot was: (a) in
37 existence on January 7, 2003; and (b) contains in
38 whole or in part a sensitive environmental resource
39 associated with limestone bedrock area established
40 by Section 4-1905, below, may be developed for a

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1 single-family detached dwelling and permitted
2 accessory structures. To the maximum extent
3 feasible, no development shall take place within
4 karst feature buffers, but where residential
5 development takes place, such dwelling shall be
6 sited on the lot as far from any karst feature as
7 possible, and shall comply with the development
8 standards in this section to the maximum extent
9 feasible. Development on such lot shall not be
10 allowed if subsidence poses a serious risk to public
11 health or safety or to the safety of residents or users
12 of the proposed development, as determined by the
13 County

14 ~~4-1904 — Review Procedures.~~ All development approvals, review procedures,
15 modifications, and density calculations in the LOD are governed by
16 Article VI, "Development Process and Administration," as applicable,
17 and procedures in Chapter 8 of the Facilities Standards Manual (FSM).

18 ~~4-1905 — Establishment of Sensitive Limestone Areas.~~

19 ~~(A) — Sensitive Environmental Resources Associated with~~
20 ~~Limestone Bedrock.~~ For all development applications
21 involving properties subject to LOD as identified on the LOD
22 Map, or by an approved Preliminary Soils Review, the
23 applicant shall submit a Geotechnical or Geophysical Study
24 in accordance with standards set forth in the Facilities
25 Standards Manual, Chapter 6. Such Geotechnical or
26 Geophysical Study shall identify the following sensitive
27 environmental resources associated with limestone bedrock:

- 28 (1) — Closed depressions;
- 29 (2) — Open sinkholes;
- 30 (3) — Rock outcrops;
- 31 (4) — Seasonal high-water table indicators;
- 32 (5) — Surface drainage into ground;
- 33 (6) — Faults;
- 34 (7) — Other hazardous subsidence conditions;
- 35 (8) — Underground solution channels; and

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development sites available outside the buffers. Residential structures located within a Karst feature shall be sited on the lot as far away from the Karst feature to the maximum extent feasible.

~~(B) — Uses and Activities in the Limestone Conglomerate Overlay District, Outside Karst Feature Buffers.~~ All uses and structures permitted by right in the underlying zoning district are permitted within the Limestone Conglomerate Overlay District outside of Karst Feature Buffers, subject to the standards and mitigation measures in this Section and Zoning Ordinance.

~~4-1907 — Special Exception Uses.~~ All uses and structures permitted by special exception in the underlying zoning district may be permitted subject to the procedures and criteria stated in Section 6-1300, "Special Exception," of the Zoning Ordinance, to conditions identified in a grading permit application, when required, and to any mitigation measures required according to Section 4-1909, below

~~4-1908 — Development Standards for the LOD.~~ Unless otherwise exempt by Section 4-1903(C) above, all land disturbing activities permitted by right or special exception in the LOD shall adhere to the following development standards:

~~(A) — Structures in Potential Subsidence Areas.~~ No structure shall be built in an area where a Geotechnical or Geophysical Study indicates that potential subsidence may occur that would cause physical injury or harm to the public or future residents unless such a study indicates that such potential harm can be mitigated.

~~(B) — Site Grading.~~ To the maximum extent feasible, site grading shall maintain natural drainages. If not feasible, then drainage shall be designed to avoid damage to sensitive environmental resources associated with limestone bedrock as identified in the required Geotechnical or Geophysical study.

~~(C) — Surface Water Run-Off.~~

~~(1) — Non point source pollution load of nutrients and sediment shall not exceed the standards specified in Chapter 5 of the Facilities Standards Manual.~~

~~(2) — Surface water run-off shall not be redirected to enter a sinkhole or closed depression. Drainage plans shall be designed to route surface water run-~~

1 off through vegetative filters or other filtration
2 measures before it enters such features, and to
3 protect neighboring properties from runoff on the
4 subject property.

5 (D) ~~Revegetation.~~ Disturbed areas not covered by paving, stone,
6 or other solid materials shall be revegetated with native plant
7 species that are compatible with the natural vegetation and
8 tree cover and that have low water and nutrient requirements.

9 (E) ~~Application of Wastewater Sludge.~~ Application of
10 wastewater sludge shall be subject to the requirements of a
11 nutrient management plan acceptable to the County pursuant
12 to provisions contained in the Loudoun County Codified
13 Ordinances

14 (F) ~~Communal Water and Wells.~~ Wells shall be installed in
15 accordance with the provisions in Chapter 6 (proposed) of the
16 Facilities Standards Manual, relating to "Subdivisions with
17 Communal Water Systems," and "Subdivisions with
18 Individual Wells." In addition to well protection standards in
19 the FSM, structures and septic systems shall be located a
20 minimum distance of 100 feet from all existing and proposed
21 wells, both on and off site.

22 (G) ~~On-Site Sewage Disposal Systems.~~ On-site sewage disposal
23 systems, as currently defined in the Land Subdivision
24 Development Ordinance, are allowed for individual lots and
25 subdivisions with fewer than eight (8) lots in the LOD.
26 Sewage disposal systems shall be subject to the review
27 processes and requirements in the existing LSDO (Section
28 1245.10) and shall comply with requirements of the State of
29 Virginia Department of Health Division of Sewage and
30 Water Services, the Loudoun County Sanitation Authority
31 regulations, the Loudoun County Health Department, and the
32 following:

33 (1) ~~Within the LOD, in areas that the Director of the~~
34 ~~Loudoun County Health Department deems~~
35 ~~appropriate for sewage disposal systems, the~~
36 ~~applicant shall only use a sewage disposal system~~
37 ~~that is at least 90% effective in removing nitrogens.~~

38 (2) ~~For existing and new systems, owners shall submit~~
39 ~~evidence of pumping, inspection, and any necessary~~
40 ~~repairs and maintenance every three years. The~~
41 ~~applicant shall submit evidence of current~~

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inspection and maintenance before expansion or conversion of a land use.

(H) ~~Communal Wastewater Systems.~~ Proposed subdivisions containing eight (8) or more lots shall be served by communal wastewater systems, unless the applicant demonstrates to the County that other types of systems are available that will achieve the same or superior treatment results. The County shall allow communal wastewater systems in the LOD subject to the following standards:

(1) ~~Where sufficient buildable land area exists on the portion of a property outside the LOD to accommodate a proposed communal wastewater disposal system, that area shall be used before any land within the LOD shall be used; or~~

(2) ~~Where insufficient buildable land area exists outside of the LOD, as much of the proposed communal wastewater disposal system shall be sited outside the LOD as possible.~~

(3) ~~Where any portion of a proposed communal wastewater disposal system is to be located within the LOD the applicant shall demonstrate through a Geophysical Study acceptable to the County that the communal wastewater disposal system will minimize run-off generated, enhance filtration, and will not have an adverse environmental impact on underlying aquifers and groundwater. In addition, the applicant shall provide a plan for regular operation and maintenance.~~

(I) ~~Protection of Springs.~~ Land disturbing activities, development, and impervious surface coverage are prohibited within one hundred (100) feet from a spring, measured from the vertical source of a spring on flat terrain or from the first emergence of a spring on any steep slope (15% or greater).

(J) ~~Stormwater Management Ponds.~~

(1) ~~To the maximum extent feasible, stormwater management ponds shall not be located within areas containing open sinkholes and closed depressions.~~

(2) ~~Stormwater management ponds constructed within the LOD shall be lined with impervious materials to~~

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prevent groundwater pollution, in accordance with Chapter 5 of the Facilities Standards Manual.

(K) ~~Warnings to Property Owners.~~ A note shall be placed on any record subdivision plat for land in the LOD, containing the following, or similar, language: "Household lawn fertilizers, herbicides, and pesticides for residential purposes should be limited due to the underlying geology of this property, and the potential for groundwater contamination. Application of fertilizers and lime is allowed within the Limestone Conglomerate Overlay District but should only be applied based on results of a soil test obtained through the Virginia Tech extension service or other County approved laboratory."

~~4-1909 Mitigation Measures for the LOD.~~ In addition to compliance with the development standards in Section 4-1908, land disturbing activities shall employ one or more measures as necessary to mitigate any potential adverse impacts to the County's subsurface water resources or sensitive environmental resources associated with limestone bedrock, as identified in a preliminary soils review, required Geotechnical or Geophysical Study as set forth in Section 4-1905(A), or other hydrogeologic or environmental analysis;

(A) ~~General.~~ Mitigation measures shall be directly related to the proposed land disturbing activity and its potential adverse impact on karst features or sensitive environmental resources associated with limestone bedrock identified on the subject property.

(B) ~~Mitigation Measures.~~ If warranted by a study required by this Zoning Ordinance, the County shall require measures to mitigate the identified potential adverse impacts, including but not limited to the following:

(1) ~~Ineligibility for Density Increases.~~ The applicant may not be eligible for any density increases permitted under the clustering provisions of this Ordinance.

(2) ~~Use of a Cluster Subdivision.~~ Where not otherwise required by this Ordinance, the County may require cluster development.

(3) ~~Landscaping and Reductions in Impervious Surface Coverage.~~ The County may require:

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- 1 (a) ~~Reductions in the maximum impervious~~
2 ~~surface coverage allowed;~~
3 (b) ~~Reductions in the area devoted to~~
4 ~~landscaped lawns, and~~
5 (c) ~~the use of xeriscape (i.e., use of native plant~~
6 ~~materials and landscape materials that have~~
7 ~~lower water and nutrient requirements).~~
- 8 (4) ~~**Prohibition of Specific Pollution Sources.** The~~
9 ~~County may prohibit specific pollution sources, as~~
10 ~~defined in Chapter 5 of the Facilities Standards~~
11 ~~Manual if the applicant does not propose effective~~
12 ~~mitigation measures acceptable to the County,~~
13 ~~provide evidence that pollution sources will be~~
14 ~~properly monitored, and that they will adhere to~~
15 ~~facility design standards.~~
- 16 (a) ~~The County may prohibit the following~~
17 ~~pollution sources, including, but not limited~~
18 ~~to:~~
19 (i) ~~Uses and activities involving~~
20 ~~hazardous substances;~~
21 (ii) ~~Uses and activities involving the~~
22 ~~application of high-nitrate herbicides~~
23 ~~or pesticides;~~
24 (iii) ~~Automobile service stations;~~
25 (iv) ~~Underground storage tanks;~~
26 (v) ~~Landfills and waste sites; and~~
27 (vi) ~~Other uses and activities with high~~
28 ~~risk of releasing pollutants.~~
- 29 (5) ~~**Storage Tanks.** The County may require leak~~
30 ~~testing and secondary containment of storage tanks.~~
- 31 (6) ~~**Conservation of Indigenous Vegetation.** The~~
32 ~~County may require retention of indigenous~~
33 ~~vegetation to the maximum extent feasible, and in~~
34 ~~accordance with Tree Conservation Standards in~~
35 ~~Chapter 7 of the Facilities Standards Manual.~~
- 36 (7) ~~**Groundwater Monitoring.** The County may~~
37 ~~require the applicant to establish a regular system of~~
38 ~~groundwater monitoring by a qualified professional~~
39 ~~for the proposed development.~~

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(8) ~~**Explosives and Blasting.**~~ The County may require the following blasting mitigation measures:

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4 (a) ~~A blasting plan for approval that contains blasting procedures;~~

5
6 (b) ~~A pre blasting site inspection to determine base line conditions;~~

7
8 (c) ~~Monitoring of initial blasts by appropriate seismic and noise measurements at sensitive locations identified in the blasting plan;~~

9
10 (d) ~~Post blasting inspections; and~~

11
12 (e) ~~Restrictions on blasting and explosives, or limits on blasting to specific times and atmospheric conditions to minimize impact.~~

13
14 (9) ~~**Silviculture.**~~ Silviculture may be conducted only in conformance with a Forest Management Plan that is consistent with requirements in the Facilities Standards Manual and approved by both the Virginia Division of Forestry and the County. Silviculture does not include commercial planting or clear cutting of a forest.

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21 (10) ~~**Nutrient Management Plan.**~~ The County may require a Nutrient Management Plan to be completed according to guidelines established by the Virginia Department of Conservation and Recreation. All nutrient management plans required by this section shall be subject to County approval.

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28 (11) ~~**Conservation Easements.**~~ Conservation easements that permanently conserve sensitive limestone area may be dedicated to the County with its written consent and/or to a third party approved by the County.

1 **Section 4-2000 — River and Stream Corridor Overlay District (RSCOD)**

2
3 **4-2001 Purpose and Intent.** ~~These provisions are intended to promote, preserve, and~~
4 ~~enhance the important hydrologic, biological, ecological, aesthetic, recreational,~~
5 ~~and educational functions that river and stream corridors provide. Specifically,~~
6 ~~the provisions are intended to:~~

7 ~~(A) — Protect life and prevent or minimize property damage from soil erosion~~
8 ~~and flooding; and reduce public costs for flood control, rescue, and relief~~
9 ~~efforts occasioned by unwise use or occupancy of floodplains;~~

10 ~~(B) — Comply with federal and state laws and regulations that address the need~~
11 ~~for floodplain management and protection;~~

12 ~~(C) — Qualify Loudoun County residents for the insurance and subsidies~~
13 ~~provided by the National Flood Insurance Program;~~

14 ~~(D) — Conserve the natural state of watercourses and stream banks to enable a~~
15 ~~dynamic and healthy river and stream corridor ecosystem;~~

16 ~~(E) — Maintain water quality and minimize or remove pollutants delivered in~~
17 ~~stormwater through the natural capacity of riparian areas to filter and~~
18 ~~purify run-off;~~

19 ~~(F) — Protect against the damages of soil erosion and flooding;~~

20 ~~(G) — Reduce water treatment cost;~~

21 ~~(H) — Maintain and provide a riparian canopy to shade streams and promote~~
22 ~~desirable aquatic organisms and fish habitats;~~

23 ~~(I) — Conserve wildlife habitat and corridors;~~

24 ~~(J) — Perpetuate biological diversity and natural resource management to~~
25 ~~provide educational and recreational value;~~

26 ~~(K) — Protect and preserve functioning forest cover and riparian forest buffers~~
27 ~~for their biological and hydrological benefits;~~

28 ~~(L) — Protect wetlands;~~

29 ~~(M) — Preserve and protect Loudoun County's historic and prehistoric heritage in~~
30 ~~the form of archeological sites; and~~

31 ~~(N) — Protect the scenic value of the rivers and streams of Loudoun County.~~

32 **4-2002 Authority.** ~~Authority for these provisions includes:~~
33

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- 1 (A) ~~Flood Damage Reduction Act, Va. Code Sections 62.1-44.108 et seq.~~
- 2 (B) ~~Chapter 11, Title 15.2, Code of Virginia (Planning, Subdivision of Land~~
3 ~~and Zoning).~~
- 4 (C) ~~Soil Conservation Districts Law, Va. Code Sections 21-2(c), 21-2(d).~~
- 5 (D) ~~Virginia Environmental Quality Act, Va. Code Section 10-178.~~
- 6 (E) ~~Erosion and Sediment Control Act, Va. Code Section 21-89.2.~~
- 7 (F) ~~Potomac River Basin Compact, Va. Code Section 62.1-69.1.~~
- 8 (G) ~~National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq.~~
- 9 (H) ~~Section 10.1-2100 et seq. (The Chesapeake Bay Preservation Act) and~~
10 ~~Section 15.1-489, of the Code of Virginia.~~

11 **4-2003 Applicability and Exemptions.**

12 (A) ~~**Applicability Land Area & Features Included in the RSCOD.** This~~
13 ~~Section 4-2000 shall apply to all land areas and natural features within the~~
14 ~~River and Stream Corridor Overlay District (RSCOD), as shown on the~~
15 ~~official River and Stream Corridor Overlay District Map of Loudoun~~
16 ~~County ("RSCOD Map"), which with all explanatory matter thereon, is~~
17 ~~hereby incorporated by reference. The description of the Protected River~~
18 ~~and Stream Corridors ("Protected Corridors") in RSCOD is set forth in~~
19 ~~Section 4-2005, "Establishment of Protected Corridors." (Note: Map~~
20 ~~sources are listed on RSCOD Map.)~~

21 (B) ~~**Applicability Covered Activities.** This Section 4-2000 shall apply to~~
22 ~~all proposed land disturbing activity, including new single family~~
23 ~~development and subdivision that occurs within the RSCOD Protected~~
24 ~~River and Stream Corridors ("Protected Corridors"). This Section shall~~
25 ~~not apply to the expansion, alteration, or reconstruction of legally existing~~
26 ~~buildings, structures, and impervious surface areas existing on January 7,~~
27 ~~2003, provided that such alteration does not increase the total footprint of~~
28 ~~a structure or impervious surface by more than twenty five percent (25%)~~
29 ~~or 2000 square feet whichever is greater.~~

30 (C) ~~**Exemptions.** The following land disturbing activities are exempt from~~
31 ~~this Section 4-2000's requirements, subject to the specific limits set forth~~
32 ~~below:~~

33 (1) ~~**Agricultural Operations.** This section shall not apply to~~
34 ~~agricultural operations located in the Protected Corridor that are~~
35 ~~covered by a Conservation Farm Management Plan, approved by~~
36 ~~the Loudoun County Soil and Water Conservation District or the~~

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U.S. Natural Resources and Conservation Service that includes best management practices. Structures associated with agricultural operations are not exempt from these provisions.

(2) ~~Existing Legal Lots within the Protected Corridor.~~ A legal lot of record (a) in existence on January 7, 2003; and (b) located in whole or in part within the Protected Corridor, may be developed for a single family detached dwelling use and accessory structures, provided such dwellings and structures are located outside of the 100 year floodplain. This exemption shall not apply to non-residential uses. Such dwelling and accessory structures shall be sited on the lot as far from the stream bank as feasible.

(3) ~~Man-Made Drainage Channels, Ditches, and Similar Structures.~~ Standards set forth in Section 4 2005, "Establishment of Protected Corridors," shall not apply to man made drainage channels, ditches, and similar structures. However, all other relevant development standards set forth in Section 4 2008 shall apply.

(D) ~~Zone District Development and Dimensional Standard Flexibility Provisions.~~ When twenty five percent (25%) or more of the total area of a parcel or lot is subject to RSCOD restrictions (excluding any management buffer), the following modifications of development and dimensional standards shall be applicable for the purposes of accommodating the density/intensity of development allowed in the underlying zoning district, unless the underlying zoning requires less restrictive standards:

(1) ~~Minimum Lot Size:~~ No minimum.

(2) ~~Minimum Lot Width:~~ No minimum.

(3) ~~Minimum Yards:~~

(a) ~~Residential:~~ No minimum

(b) ~~Nonresidential:~~

(i) ~~Front:~~ 15 feet

(ii) ~~Side:~~ 9 feet

(iii) ~~Rear:~~ 15 feet

(4) ~~Height.~~ 45 feet (residential); 55 feet, without additional setbacks being required (nonresidential)

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~~(5) **Parking (nonresidential only).** Twenty five percent (25%) reduction in the required off street parking space requirement as set forth in Section 5 1002.~~

~~(6) **Buffering and Screening.** To the extent necessary to accommodate the density/intensity of development allowed in the underlying zoning district, the Zoning Administrator may waive or reduce the buffer yard requirements set forth in Section 5-1400 upon a showing that the building and/or yard has been designed to minimize adverse impact through a combination of architectural, landscape, and/or other design techniques.~~

~~**4-2004 Review Procedures.** All development approvals, review procedures, modifications, and density calculations in the RSCOD are governed by Article VI, “Development Process and Administration,” as applicable, and procedures in Chapter 8 of the Facilities Standards Manual.~~

~~4-2005 Establishment of Protected Corridors.~~

~~(A) General Rule Protected Corridors along Streams and Rivers.~~

~~(1) **Minimum Protected Corridor Width.** Except for those waters listed under section 4 2005(B)(1) below, for all stream and river segments draining 100 acres or more and shown on the RSCOD Map, the Protected Corridor shall be the greater of (1)(a) or (1)(b) below:~~

~~(a) The cumulative width of the following:~~

~~(i) The 100 year floodplain, and~~

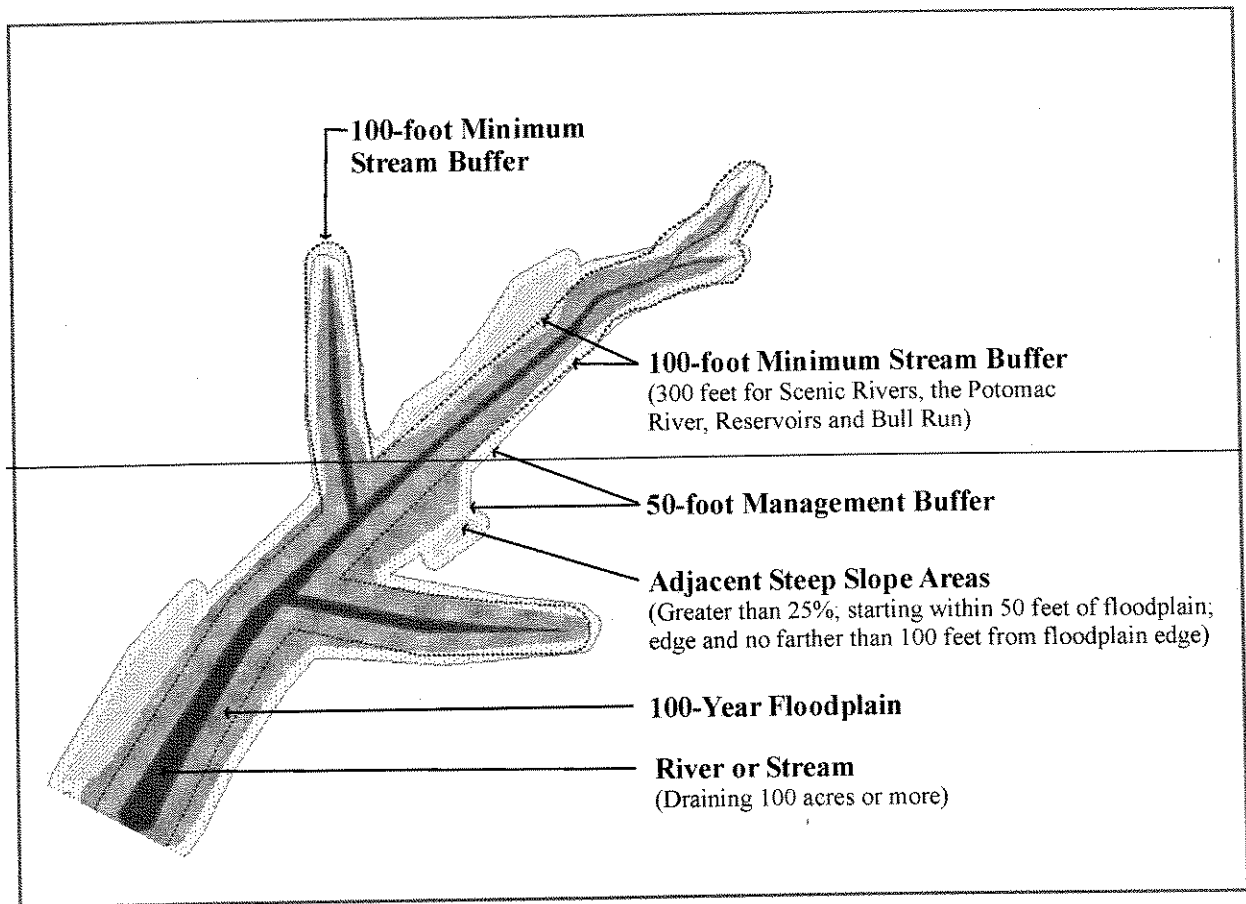
~~(ii) Adjacent very steep slopes (greater than 25%) starting within 50 feet of the edge of the 100 year floodplain and extending no greater than 100 horizontal feet beyond the edge of the 100 year floodplain, and~~

~~(iii) A 50 foot Management Buffer measured from the edge of the 100 year floodplain in (a)(i) above or when adjacent very steep slopes are present, from the very steep slope areas in (a)(ii) above.~~

OR

~~(b) A minimum stream buffer measured as the area located within 100 feet of both sides of the stream or river, measured as a line extending perpendicularly from the stream bank of the active channel of the stream or river.~~

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Protected River and Stream Corridor ("Protected Corridor") Diagram

(B) Protected Corridors Along Specific Rivers/Streams and Water Supply Reservoirs

(1) Minimum Protected Corridor Width. For the following specific rivers and streams and water supply reservoirs, the Protected Corridor shall be the greater of the Protected Corridor width required by Subsection 4-2005(A), "General Rule Protected Corridors along Streams and Rivers," above, or the area located within three hundred (300) feet from:

- (a) The defined stream bank of the Potomac River;
- (b) The defined stream bank of Bull Run;
- (c) The stream bank of the active channel for any state scenic rivers, including but not limited to Goose Creek, Catoctin Creek; and
- (d) The projected shoreline of any drinking water supply reservoir, as denoted on the RSCOD map.

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1 **4-2006 Permitted Uses and Activities.**

2 ~~(A) General.~~ Only those uses and activities set forth in this subsection shall
3 be permitted by right or special exception within a Protected Corridor, and
4 land so encumbered may be used in a manner permitted in the underlying
5 district only if and to the extent such use is also permitted in the overlay
6 district.

7 ~~(B) Permitted Uses.~~ The following uses shall be permitted in a Protected
8 Corridor, subject to development standards in this section:

9 ~~(1) Roads, railroad tracks, bridges, paths and trails, and below ground~~
10 ~~utilities when any such facilities cross a stream or river;~~

11 ~~(2) Paths and trails, including footpaths, bicycling or hiking paths, and~~
12 ~~horse trails constructed of permeable materials;~~

13 ~~(3) Stormwater management facilities that do not alter a river or~~
14 ~~stream channel;~~

15 ~~(4) Sanitary sewer pipelines;~~

16 ~~(5) Lakes, ponds, and water supply reservoirs;~~

17 ~~(6) Historic sites, structures, archaeological sites, and~~
18 ~~restoration/recovery activities;~~

19 ~~(7) Passive recreation, limited to hiking, non motorized biking,~~
20 ~~horseback riding, picnicking, camping, climbing, hunting, fishing,~~
21 ~~and wildlife viewing;~~

22 ~~(8) Active recreation on the waters only, limited to swimming and~~
23 ~~non powered boating with public points of entry identified and~~
24 ~~approved by the County;~~

25 ~~(9) Silviculture, as defined in the Zoning Ordinance;~~

26 ~~(10) Wildlife and fisheries management projects that are consistent with~~
27 ~~the purposes of the Federal Endangered Species Act or consistent~~
28 ~~with the regulations, policies, and habitat programs of the~~
29 ~~Commonwealth of Virginia;~~

30 ~~(11) Conservation and educational activities, including but not limited~~
31 ~~to Adopt a Stream and Keep Loudoun Beautiful programs,~~
32 ~~teaching visits, and scientific study of nature, historic sites, and~~
33 ~~archaeological sites;~~

34 ~~(12) Stream and riparian restoration projects;~~

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(13) ~~Wetlands mitigation banking; and~~

(14) ~~Water quality monitoring and stream gauging.~~

4-2007 Special Exception Uses.

(A) ~~General.~~ The following uses may be permitted in a Protected Corridor by special exception, subject to the procedures and criteria stated in Section 4-2008, "Development Standards," and Section 6-1300, "Special Exception:"

(1) ~~Marinas or boat launches for non-powered boats, boat rental entry points, docks and piers; and~~

(2) ~~Above ground structures or uses required for the operation of a public utility, such as intake and outfall structures of power plants, sewage treatment plants, water treatment plants, and substations.~~

(B) ~~Additional Criteria for a Special Exception Use.~~ In considering applications for a special exception, the Board of Supervisors shall find that the following standards, in addition to those of Section 6-1300, "Special Exception," have been met:

(1) ~~The proposed use will not increase the danger to life and property due to increased flood heights or velocities.~~

(2) ~~The proposed use will not increase the danger that materials may be swept downstream to the injury of others.~~

(3) ~~The proposed water supply and sanitation systems are designed to prevent disease, contamination, and unsanitary conditions.~~

(4) ~~The proposed use or structure must be located and designed to limit its susceptibility to flood damage, and alternative locations that are not subject to flooding must be considered.~~

(5) ~~The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site shall not cause significant damage, nor increase erosion downstream due to increased flood heights or velocities.~~

(6) ~~The proposed use will not adversely affect water quality or impair the function or chemical, physical, biological, and ecological integrity of the stream or river corridor.~~

4-2008 Development Standards. ~~All development and land disturbing activities permitted by right or special exception in the RSCOD Protected Corridor shall adhere to the following development standards:~~

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1 ~~(A) General.~~ To the maximum extent feasible, all uses and activities shall
2 minimize land disturbance in the Protected Corridor.

3 ~~(1) Preferred Development Sites.~~ Preferred development sites for
4 permitted uses and activities set forth in Section 4 2006 and special
5 exception uses set forth in Section 4 2007 are those that:

6 ~~(a) Avoid all parts of the Protected Corridor except to the~~
7 ~~extent that the Management Buffer is reduced or eliminated~~
8 ~~pursuant to Section 4 2009, "Permitted Reductions in~~
9 ~~Protected Corridor Width;"~~

10 ~~(b) Do not impair, interrupt, or fragment the functioning of the~~
11 ~~river and stream ecology; and protect the safety of residents~~
12 ~~and their property.~~

13 ~~(2) Restoration/Mitigation of Disturbance.~~

14 ~~(a) Disturbance During Development.~~ All areas
15 ~~disturbed during development in the Protected~~
16 ~~Corridor shall be restored to preexisting conditions~~
17 ~~by the applicant to the maximum extent feasible.~~
18 ~~Where restoration will not be feasible, then the~~
19 ~~applicant shall mitigate any disturbance of the~~
20 ~~Protected Corridor that exceeds 10,000 square feet~~
21 ~~in area by providing mitigation in other areas in the~~
22 ~~Protected in the form of:~~

23 ~~(i) Providing riparian buffer pursuant to~~
24 ~~Chapter 7 of the FSM, either on the~~
25 ~~development site or off site; or~~

26 ~~(ii) Enhanced BMPs pursuant to Chapter 5 of~~
27 ~~the FSM, either on the development site or~~
28 ~~off site; or~~

29 ~~(iii) Stabilization of off site stream banks; or~~

30 ~~(iv) Off site vegetation restoration of erosion~~
31 ~~that is affecting water quality; or~~

32 ~~(v) Establishment of a restoration area equal in~~
33 ~~quality and quantity of the area encroaching~~
34 ~~into the 50 foot management buffer~~
35 ~~elsewhere on the lot or parcel in a way that~~
36 ~~maximizes the purpose and intent of the~~
37 ~~protected corridor.~~
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39
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1 All mitigation areas shall be located in the general
2 vicinity of the disturbed area (e.g., within the
3 immediate drainage area) and shall be similar in
4 size and quality as the disturbed area prior to
5 development activity.
6

7
8 (b) ~~Pre-existing Conditions.~~ On site stream bank stabilization
9 and vegetation restoration shall be required if a site shows
10 evidence of pre-existing erosion that is affecting water
11 quality and/or stream banks that are unstable. Restoration
12 shall be performed in accordance with Chapter 7 of the
13 Facilities Standards Manual.

14
15 (B) ~~Alterations to the 100-Year Floodplain.~~ No alterations shall occur in the
16 100-year floodplain to create additional buildable land by elevating land or
17 relocating or altering a natural stream channel, except as specifically
18 allowed as either a permitted or special exception use. Where alterations
19 are permitted, they shall be pursuant to the provisions in this Section 4-
20 2000, and the following criteria:

21
22 (1) ~~Alterations to the floodplain shall result in no off site increase in~~
23 ~~the water surface elevation of the base flood. Alterations in the~~
24 ~~floodway shall result in no rise in the water surface elevation of the~~
25 ~~base floodplain consisting of the water channel and overbank areas~~
26 ~~capable of conveying the deep and fast moving water discharge of~~
27 ~~the base flood as defined in the Federal Emergency Management~~
28 ~~Agency Flood Insurance Study.~~

29
30 (2) ~~Alterations to the floodplain shall not create erosive water velocity~~
31 ~~on or off site (where erosive water velocity is based on analysis of~~
32 ~~the surface material and permissible velocities for specific cross~~
33 ~~sections affected by the proposed alteration, using standard~~
34 ~~engineering tables as a general guide), and the mean velocity of~~
35 ~~stream flow at the downstream end of the site after alteration shall~~
36 ~~be no greater than the mean velocity of the stream flow under~~
~~existing conditions.~~

37
38 (3) ~~The applicant shall provide plans for any alteration to the 100-year~~
39 ~~floodplain. The floodplain alteration plan shall further include~~
40 ~~plans for erosion control of cut and fill slopes and restoration of~~
41 ~~excavated areas. The site plan shall incorporate the use of natural~~
42 ~~materials (earth, stone, wood) on cut and fill slopes and provide for~~
~~tree protection.~~

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1 ~~(4) The flood carrying capacity within the altered floodplain shall be~~
2 ~~maintained.~~

3 ~~(5) Alterations to the floodplain shall be in conformance with the~~
4 ~~provisions of Chapter 1220 of the Codified Ordinances of Loudoun~~
5 ~~County and the Erosion and Sediment Control Law, Va. Code~~
6 ~~Section 21-89.1 et seq.~~

7 ~~(C) **Vehicular, Pedestrian, and Utility Crossings.** Where permitted, road,~~
8 ~~driveway, railroad track, path and trail, and utility crossings of streams and~~
9 ~~rivers shall be subject to Chapter 5 of the Facilities Standards Manual and~~
10 ~~the following conditions:~~

11 ~~(1) The proposed activity shall be supported by an analysis conducted~~
12 ~~by a qualified and licensed professional engineer (P.E.) or Class B~~
13 ~~surveyor (L.S.) that establishes that:~~

14 ~~(a) No available, economically feasible alternative exists to~~
15 ~~locating within the Protected Corridor or to crossing the~~
16 ~~river or stream; and~~

17 ~~(b) The crossing is designed to avoid or mitigate environmental~~
18 ~~damage to the Protected Corridor and disturbance of the~~
19 ~~aquatic environment, alteration of the waterway,~~
20 ~~downstream migration of sediment, damage to bank~~
21 ~~stability, and damage to stream or river bank and riparian~~
22 ~~area vegetation.~~

23 ~~(2) The applicant shall mitigate any disturbance of the Protected~~
24 ~~Corridor by grading and planting to enhance the biological and~~
25 ~~hydrologic processes. Provisions for reclamation of the disturbed~~
26 ~~area shall be approved by the County and included in any~~
27 ~~development or subdivision agreement for the project, with~~
28 ~~adequate security to guarantee that the reclamation will be~~
29 ~~completed.~~

30 ~~(3) Any stream or river crossing shall minimize the length of the~~
31 ~~crossing and minimize clearing and other land disturbance.~~

32 ~~(4) Utility crossings shall be combined with road, railroad track, and~~
33 ~~driveway crossings when feasible. Crossings in a subdivision shall~~
34 ~~be spaced with a minimum separation of one thousand (1,000) feet~~
35 ~~unless closer spacing will reduce adverse environmental impacts.~~

36 ~~(5) Rights of way shall be the minimum width necessary for~~
37 ~~installation, access, and maintenance.~~

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1 ~~(6) The County shall allow construction of low water crossings~~
2 ~~intended for use only by pedestrians, equestrians, or bicyclists, but~~
3 ~~not for crossings designated for automobiles or other vehicles,~~
4 ~~except as specified in the Facilities Standards Manual.~~

5 ~~(7) Vehicular crossings shall be designed to allow wildlife to pass over~~
6 ~~or under the crossings.~~

7 ~~(D) **Stormwater Management.** Stormwater management structures,~~
8 ~~practices, and activities permitted in the Protected Corridor, shall be~~
9 ~~subject to development standards in Chapter 5 of the Facilities Standards~~
10 ~~Manual, and shall adhere to the Virginia Stormwater Management~~
11 ~~Handbook and the Virginia Erosion and Sediment Control Handbook.~~

12 ~~(E) **Lakes, Ponds, and Reservoirs.** Lakes, ponds, and reservoirs shall be~~
13 ~~designed using best management practices and with measures to mitigate~~
14 ~~the following potential adverse environmental impacts:~~

15 ~~(1) Wetland loss;~~

16 ~~(2) Forest habitat loss;~~

17 ~~(3) Barriers to fish migration;~~

18 ~~(4) Groundwater contamination;~~

19 ~~(5) Downstream warming;~~

20 ~~(6) Downstream water quality during dry weather;~~

21 ~~(7) Potential interruption of downstream bedload movement;~~

22 ~~(8) Damage to historic and cultural resources and archaeological sites;~~
23 ~~and~~

24 ~~(9) Water quality of the pond or lake effluent.~~

25 ~~(F) **Recreation Facilities.** Recreation facilities shall be subject to the~~
26 ~~following standards:~~

27 ~~(1) Access to waterways shall be limited to specific points of entry as~~
28 ~~approved by the County.~~

29 ~~(2) Facilities shall be located on previously disturbed areas to the~~
30 ~~maximum extent feasible.~~

31 ~~(3) Facilities shall be designed to minimize disturbance to the~~
32 ~~biological and hydrologic processes in the Protected Corridor.~~

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(4) ~~All paths and trails shall be constructed of permeable materials (e.g., permeable soft or pervious hardstand materials, including but not limited to pervious bitumen or concrete).~~

(G) ~~**Silviculture.** Silviculture shall be subject to best management practice measures and shall be conducted only in accordance with an approved Forest Management Plan that is approved by both the Virginia Division of Forestry and the County. Silviculture does not include commercial harvesting or clear cutting of a forest.~~

(H) ~~**Tree and Vegetation Conservation.** Natural vegetation in the Protected Corridor shall be preserved in accordance with Chapter 7 of the Facilities Standards Manual. Existing healthy trees and vegetation within the Protected Corridor shall be supplemented with additional native planting and landscaping approved by the County where necessary. This provision shall not prohibit removal of dead trees/vegetation that present a danger to public safety, noxious weeds, non native trees/vegetation that threaten native species growth or reintroduction, or any other tree/vegetation that is a threat to the public health or safety.~~

~~**4-2009 Permitted Reductions in Protected Corridor Width.** Where the Protected Corridor on a specific property includes a 50 foot Management Buffer as established by Section 4-2005(A)(1)(a) above, the County Zoning Administrator, upon the recommendation of the County Engineer, may approve a reduction of or elimination of the 50 foot Management Buffer in the following circumstances:~~

(A) ~~**Demonstration of No Adverse Impact.** If the applicant can demonstrate that the existing floodplain is of sufficient size and quality so as to protect water quality and meet other purposes set forth in Section 4-2001 and that reduction of the Management Buffer will not adversely impact other RSCOD elements, or~~

(B) ~~**Economic Use of Property.** If the area of the property to be developed that is outside the Protected Corridor, including the 50 foot Management Buffer, is insufficient to accommodate the density or intensity of development allowed in the underlying zoning district, provided that:~~

(1) ~~The applicant shall mitigate any adverse environmental impacts the reduction or elimination may have on primary conservation areas located on or off site as identified through the conservation design process in Section 6-2000, if applicable.~~

(2) ~~Any reduction shall be the minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utilities.~~

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